

The Town of Felton  
2008  
Comprehensive Plan

Final

November 10, 2008

Prepared by the Town of Felton  
Planning Committee

*and*

Davis, Bowen & Friedel, Inc.  
23 North Walnut St.  
Milford, Delaware

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## Town, County, and State Officials serving in 2008

### **Town of Felton**

#### *Town Council of Felton*

David L. Kelley, Mayor

JoAnne Clendaniel, Vice Mayor

Michael Routh, Councilman

Joe Yapsuga, Councilman

Henry Twardus, Councilman

#### *Planning and Zoning Commission*

Scott Thornton, Chairman

Miguel Corti, Commissioner

Jack Liss, Commissioner

Kathy Thornton, Commissioner

Anita Yapsuga, Commissioner

#### *Town Staff*

Rebecca Greene, Town Manager

Levi Brown, Chief of Police

Sarah Ferguson, Town Clerk

Ralph Hughes, Public Works Director

John T. Jaywork, Solicitor

### **Kent County**

P. Brooks Banta, Commissioner 1st District, President

Alan F. Angel, Commissioner 3rd District, Vice President

Bradley S. Eaby, Commissioner 2nd District

Eric L. Buckson, Commissioner 4th District

W.G. Edmanson, Commissioner 5th District

Harold K. Brode, Commissioner 6th District

Richard E. Ennis, Sr., Commissioner At-Large

Michael Petit De Mange, AICP, County Administrator

Sarah E. Keifer, AICP, Director of Planning Services

### **State of Delaware**

The Honorable Ruth Ann Minner, Governor

The Honorable Nancy Cook, Senator, 15th District

The Honorable William R. Outten, Representative, 30th District

Ms. Constance Holland, AICP, State Planning Coordinator

## Acknowledgements

Davis, Bowen & Friedel, Inc., serves the Town of Felton as consulting municipal engineers and planners. The firm provided assistance to the Town during the completion of the 2008 Comprehensive Plan text and maps and the 2006 amendments to the previously adopted 2003 Comprehensive Plan. Davis, Bowen & Friedel, Inc., along with the Institute for Public Administration of the College of Human Resources, Education and Public Policy at the University of Delaware assisted the Town of Felton in drafting the previous Comprehensive Plan adopted in 2003. The Town also acknowledges assistance from the Office of State Planning Coordination and Kent County Circuit Rider, David Edgell, AICP, for time and advice.

### *Map Preparation*

Maps included with this update were produced using Geographic Information Systems (GIS) technology. Sources for map features are listed briefly on each figure. The geographic framework layers (waterways, roadways, municipal boundaries, et cetera) were originally distributed by the Delaware Coastal Management Program in 1998, and have been supplemented by updated layers from the Department of Natural Resources and Environment Control (DNREC), Delaware Department of Transportation (DelDOT), Office of State Planning Coordination (OSPC), Delaware Geological Survey (DGS), and the Delaware Department of Agriculture (DDA). Tax parcel polygons have been provided by Kent County Planning Services and the Delaware DataMIL.

All elements presented on the maps are subject to change and are used here for informational purposes only. Tax parcel information, agricultural preservation status or other issues should be confirmed through the appropriate agency. The Town of Felton commends the Delaware Geographic Data Committee – an organization composed of representatives from State agencies, county and local governments, the University of Delaware and private organizations – for its leadership in standardization of GIS data, and for advancing the policy of low-cost GIS data sharing, throughout the State of Delaware.

## The Authority to Plan

The preparation of a comprehensive development plan is the legal responsibility of the Town of Felton Planning & Zoning Commission under Delaware enabling legislation. Title 22 of the Delaware Code Chapter 7 Section 702 specifies that

"[a] planning commission established in any incorporated city or town under this chapter shall make a comprehensive development plan for the development of the entire area of such city or town or of such part or parts thereof as said commission may deem advisable."

Section 702 also establishes the contents of such a comprehensive development plan as the following:

“(b) Comprehensive plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county and the State during plan preparation.”

The Town of Felton is less than 2,000 persons and does not plan to grow to more than 2,000 persons within the time frame of this Comprehensive Plan, therefore the Town does not need to address in detail issues relating to transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historic and cultural resources, and annexation. The plan proposes annexation and therefore annexation, transportation, public services, and sewer and water issues are addressed.

Section 702 establishes the comprehensive plan as a basis for zoning as follows:

“(c) The comprehensive plan shall be the basis for the development of zoning regulations as permitted pursuant to Chapter 3 of this title. Should a jurisdiction exercise its authority to establish municipal zoning regulations pursuant to Chapter 3 of this title, it shall, within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.”

Section 702 establishes the comprehensive plan certification process as follows:

“(f) The comprehensive plan or amendments or revisions thereto shall be submitted to the Governor or designee at such time as the plan is made available for public review. The municipality shall provide sufficient copies for review by the Governor's Advisory Council on Planning Coordination. The Advisory Council, within 30 days of plan submission, shall conduct a public meeting, at which time the municipality shall make a presentation of the plan and its underlying goals and development policies, except when the Advisory Council determines that the comprehensive plan, amendments or revisions are fully consistent with statewide land development goals, policies and criteria as adopted by the Governor or Cabinet Committee on State Planning Issues. Following the public meeting the plan shall be subject to the state review and certification process set forth in § 9103 of Title 29. If the Advisory Council determines that a public meeting is not required as provided above, the plan shall be submitted directly to the Governor or his or her designee for certification provided in § 9103 of Title 29.”

The policies that form the Felton plan are consistent with the variety of statewide land development goals, policies and criteria as adopted by the Governor and Cabinet Committee on State Planning Issues.

Section 703 provides additional legal authority for the planning commission as stated:

"The planning commission shall have the full power and authority to make such investigations, maps and reports of the resources, possibilities and needs of the city or town as it deems desirable..."

A comprehensive plan shall also be the basis for annexation. Title 22 of the Delaware Code Chapter 1 Section 101 specifies that

"(1) All annexations must be consistent with the most recently adopted municipal comprehensive plan meeting the requirements of Chapter 7 of this title. The area(s) being considered must be depicted as area(s) for future annexation on the adopted plan. If a municipality does not have an adopted comprehensive plan, or if its adopted comprehensive plan does not depict areas for future annexation, it shall prepare and adopt a plan or plan amendment within 12 months of July 13, 2001. The municipality shall not approve any annexations until such plan or plan amendment is adopted, notwithstanding any other charter provisions..."

## Planning Process and Public Participation Summary

The 2008 Comprehensive Plan has been updated in order to meet the State of Delaware's five-year review requirement. The vision from the 2003 Comprehensive Plan and the 2006 Comprehensive Plan amendment remains the vision the Town has chosen to follow in order to meet its future growth needs. The 2006 Comprehensive Plan amendment has been incorporated into the 2003 Comprehensive Plan in order to create a seamless document. This Comprehensive Plan incorporates the 2003 and 2006 visions for the Town of Felton and provides updated data and information where applicable.

The 2003 vision was developed through forming a Planning Committee composed of members of the Town Council, the Planning & Zoning Commission and engaged citizens. The Planning Committee was charged with developing the 2003 Comprehensive Plan to be presented to the Planning & Zoning Commission, and ultimately to be adopted by the Town through a Council resolution.

On February 18, 2002, a public workshop was held where Town officials and local residents were prompted to identify planning issues, areas with development potential, and ideas for the future of Felton. A public participation workshop was held on June 13, 2002 to engage the public in the planning process. A second workshop was held on August 20, 2002 to discuss the proposed land use plans. The planning maps were reviewed at meetings on September 19, 2002 and October 16, 2002. Although the meetings were advertised and posted, limited public involvement was generated beyond the appointed Planning Committee.

In 2006, Davis, Bowen & Friedel, Inc., was asked by the Town of Felton to amend the Town's Comprehensive Plan in order to meet the Town's increased need to manage its

future growth based on a surge in population and increased requests for annexation. The Comprehensive Plan was fully updated and amended as part of the 2006 amendment process. The vision adopted through the public participation workshops and public hearings for the 2003 Comprehensive Plan and the 2006 Comprehensive Plan amendment and update remain the guiding policy for the Town of Felton.

The 2008 Comprehensive Plan update was presented to the Planning Commission at their regularly scheduled meeting on June 3<sup>rd</sup>, 2008. The update was presented to Town Council at their regularly scheduled meeting on June 9<sup>th</sup>, 2008. Revisions requested by the Planning Commission were made and presented to Town Council on July 14<sup>th</sup>, 2008 and Council voted at that meeting to make application and submit the updated Comprehensive Plan to the State.

Advertised Public Hearings for the first draft of the updated plan were held on August 11<sup>th</sup> and September 8<sup>th</sup>, 2008.



## **CHAPTER 1. INTRODUCTION TO FELTON**

### 1.1 Preface

### 1.2 Location

### 1.3 History of Felton

## 1.1 Preface

The Town of Felton Comprehensive Plan has several purposes. The Town initiated this planning project in response to increasing growth, development, transportation and annexation issues that highlighted the need for a land use plan. First and foremost, the Comprehensive Plan is a unified advisory document for the Town Council and the Planning & Zoning Commission on land use and growth issues. Each section contains current information, future projections and recommendations. These will be used to guide future development decisions, rezoning, annexations, and capital improvements throughout the Town.

This plan is also an informational document for the public. Citizens, business people and government officials can use the plan to learn more about Felton and its policies for future land use decisions. Potential new residents can use the document as an informational resource about the Town, its characteristics, and facilities to help them make decisions about moving to Felton. This document contains current information on population, transportation, housing, employment, and the environment, which will be of interest to land developers, economic development professionals and financiers.

Lastly, the Felton Comprehensive Plan is a legal document. The Delaware Code specifies that "... any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate." The code further specifies that, "after a comprehensive plan or portion thereof has been adopted by the municipality in accordance with this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan." (§ 702, Title 22, Delaware Code)

This Comprehensive Plan modifies and replaces the Comprehensive Plan update of 2006, which corrected and amended the plan adopted in 2003.

## 1.2 Location

Felton is located one mile northwest of the geographic center of Delaware in the southwestern portion of Kent County. The Town is approximately 89 miles from Philadelphia, Pennsylvania, 76 miles from Baltimore, Maryland and 95 miles from Washington, D.C. At a more local level, the City lies 11 miles south of Dover, the Kent County seat and State Capitol.

It is incorporated just west of the intersection of US 13 and State Route 12. Nearby communities include Viola, Frederica, and Harrington. (See Map 1 Location Map.)

The Town is located within a number of jurisdictions with planning mandates. The Town of Felton is within the Lake Forest School District and the Felton Fire District. At the State level, elected officials of the General Assembly Senate District 15, and House District 30 represent Felton's citizens.

Kent County is divided into six Levy Court districts, which elect the County's governing commissioners. Felton is located within the 6<sup>th</sup> District.

Because of its location within the Delaware Bay drainage, Felton's water use planning is overseen by the interstate Delaware River Basin Commission. The Town is located in the South Murderkill Hundred geopolitical divisions for property ownership location.

### 1.3 History of Felton

The Town of Felton was laid out in 1856 when the Delaware Railroad reached southwestern Kent County. Located between Berrytown to the west and Johnny Cake Landing (Frederica) to the east, the Town became a "whistle" stop on the new railroad line. Owing its' founding to the railroad, Felton was named in honor of Samuel M. Felton, President of the Philadelphia, Wilmington, and Baltimore Railroad and a major force in bringing railroad service to central and southern Delaware. Incorporated on February 2, 1861, reincorporated in 1869, and expanded in 1883, Felton's boundaries formed a one-half mile square with the railroad line running north-south through the middle of Town. The center of the one-half mile square is the intersection of Main Street running east to west and today's Norfolk Southern railroad line.

With the opening of the railroad, it was more convenient for local farmers to send their products, primarily peaches and lumber, out of Felton by rail to Wilmington, than to ship them via the Choptank River to Denton, Maryland. As a result, the Town thrived and grew during the late nineteenth and twentieth centuries although passenger rail service to Felton ended in the 1950s.

The 1920s were a peak point in Felton's industrial history. The Town was flourishing with basket factories, sawmills, a creamery, a canning factory, a poultry processing plant, a wide range of stores, and a hotel. In 1930, Felton suffered an \$80,000 fire in the heart of the business district, which devastated the Town. Since water needed to be brought in from Harrington on railcars to fight the fire, the Town decided to create its own water supply, which was completed in 1939. Even after completion of water service, the fire's negative economic impact caused a steady decline in population from 771 in 1920 to a steady state of 450 to 500 persons. With the influx of people moving to Delaware in the last decade Felton's population has increased to 873 in 2001.

In the mid 1800s, the land that is now Felton was owned by two individuals. Joseph Simpson owned the land to the north of Main Street, and Alfred Clifton owned the land south of Main Street. After the railroad was built, Simpson sold parcels of his land for building but Clifton was less willing to sell his land. He agreed to allow people to build if they paid him rent for the land. As recently as the 1980's, his heirs were still collecting land rent on those properties. This difference in development in the late nineteenth century explains, in part, why the Town today is more developed north of Main Street than south.

## CHAPTER 2. FELTON'S COMMUNITY CHARACTER

2.1 Introduction

2.2 Population

2.3 Housing

2.4 Economic Profile

2.5 Racial Composition

2.6 Educational Attainment

2.7 Economic Development

2.8 Summary of Issues

2.9 Recommendations

## 2.1 Introduction

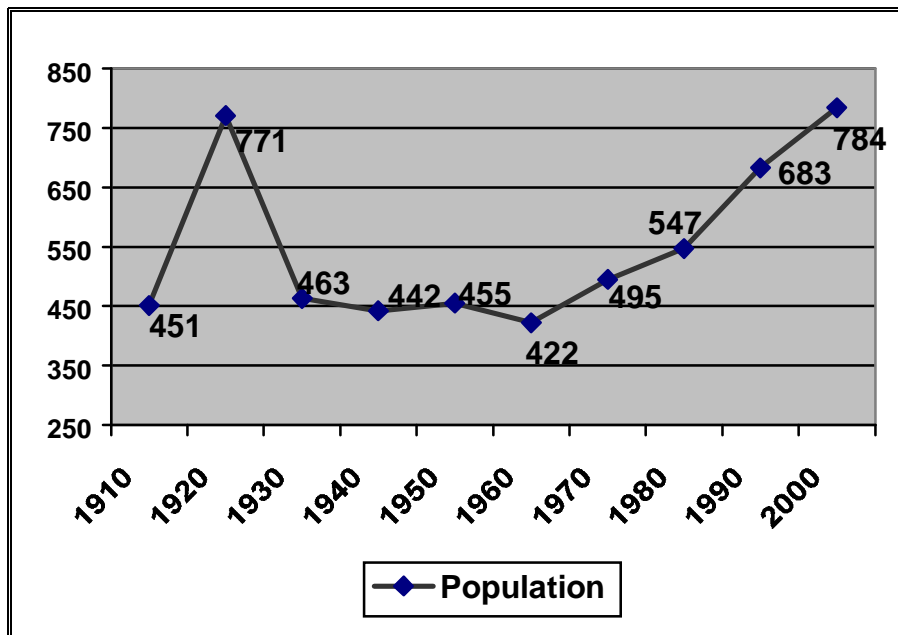
The following data on population, demography, housing, and economic conditions has been derived from a number of sources, most notably the United States Census and a census performed by the Town of Felton in 2002. Davis, Bowen & Friedel, Inc., has compiled the information as discussed herein.

## 2.2 Population

The United States Census indicates that from 1910 to 2000 the population in the State and Kent County has been increasing. The population in Felton, however, has shown more variation. Historically, the Town's population peaked at approximately 770 in the 1920s then declined to a steady state of approximately 400 to 450 persons through the twentieth century. The population since 1970 has steadily increased to 784 residents as of 2000.

Chart 1 below shows the population trend in Felton during the last century. From 1960 through 2000, the Town experienced a slow but steady growth in its population.

Chart 1. Felton Population Trends



Source: US Census 1910 to 2000.

In 2002, the Town of Felton conducted a census of all residents on a property-by-property basis. The Town data indicates that the population of Felton in 2002 was 873. This is 11.3% or 89 more people than counted in the 2000 US Census. The result of the Town conducted survey indicates that there may have been undercounting of residents by the 2000 U.S. Census. Moreover, annexations and the development of new housing units

built after April 2000 (when the U.S. Census was conducted) helps explain some of the variance in population.

### Population Projections

The State of Delaware has mandated that local governments use the Delaware Population Consortium (DPC) projections for long range planning. The DPC is a multi-agency consortium that works to provide accurate population estimates for the State of Delaware. The DPC provides State, county and major city population and housing growth projections. The latest projections, shown in Table 2 below, were provided by the consortium in October 2007.

Table 2. Population Estimates based on the Delaware Population Consortium

| Area              | 2000    | 2007    | 2010    | 2015    | 2020    | 2025      | 2030      |
|-------------------|---------|---------|---------|---------|---------|-----------|-----------|
| State of Delaware | 786,418 | 863,904 | 893,184 | 937,611 | 977,645 | 1,012,591 | 1,042,476 |
| % of change       |         | 9.85%   | 3.39%   | 4.97%   | 4.27%   | 3.57%     | 2.95%     |
| Kent County       | 127,103 | 150,516 | 157,404 | 166,994 | 175,717 | 182,919   | 189,431   |
| % of change       |         | 18.42%  | 4.58%   | 6.09%   | 5.22%   | 4.10%     | 3.56%     |

(Source: Delaware Population Consortium Annual Population Projections, October 23, 2007, Version 2007.0)

The predicted population growth for Felton is based on extrapolating the predicted increase in population over the planning period through 2030, based on the size of Felton in proportion to projected population growth in Delaware and Kent County. Recent growth patterns in Felton, from 2000 through 2008, are also examined to compare Felton's growth rates with projected growth rates for the State and Kent County. Table 2 above shows current and projected populations for Kent County and the State of Delaware through 2030.

In 2000, the population of Felton was 0.6% of the County's total population. As noted herein, between 2000 and 2002, the Town had seen a large increase in population. Moreover, through 2008, approved housing developments and requests for new residential development have increased much greater than the historical trends. Kent County and the State of Delaware have also seen growth at rates far above historical trends. It is likely that the 18.42 % in population growth from 2000 to 2007 within Kent County reflects similar growth rates within Felton. DPC predicts that although there will be population increases over the next 20 years, the growth rate will stabilize at a lower rate. Table 3 below uses the DPC estimates to predict future growth in Felton, assuming future growth in Kent County will be proportionately distributed within the current Town Boundaries and designated planning area.

Table 3. Felton Population Estimates based on the Delaware Population Consortium

| Area           | 2000 | 2007 | 2010 | 2015 | 2020 | 2025 | 2030 |
|----------------|------|------|------|------|------|------|------|
| Town of Felton | 784  | 928  | 971  | 1030 | 1084 | 1128 | 1168 |

Source: Davis, Bowen & Friedel, Inc.

It should be noted that by using linear regression analysis the predicted 2030 population for Felton is approximately 1,250, slightly higher than the corresponding value when using the DPC calculations. Not only were the calculations statistically significant ( $r$ -squared = 0.99), but the linear regression estimates are more inline with recent increased growth in Felton, current on-going development and available housing stock. The Town should monitor population increases, Census figures and DPC revisions to ensure proper planning for future residents.

### Demographic Profile

Table 4 shows the age profiles for Felton, compared to Kent County and the State. The data was compiled from 2000 US Census.

Felton has a higher percentage of children age 19 years and younger than Kent County overall. Although Felton has a lower percentage of residents 60 years and older, it has a greater percentage of households headed by a senior citizen 65 years and older. These differences between Kent County and Felton age categories are reflected in the median age in Felton which is 32.7 years., Felton's median age is significantly lower than Kent County (34.4) and Delaware (36).

Table 4. Age Profiles for Felton, Kent County, and Delaware, 2000

|       | Town of Felton |         | Kent County |         | Delaware |         |
|-------|----------------|---------|-------------|---------|----------|---------|
| Age   | Number         | Percent | Number      | Percent | Number   | Percent |
| <5    | 57             | 7.3%    | 9,138       | 7.2%    | 51,531   | 6.6%    |
| 5-9   | 63             | 8.0%    | 9,703       | 7.7%    | 55,813   | 7.1%    |
| 10-14 | 76             | 9.7%    | 10,063      | 7.9%    | 55,274   | 7.1%    |
| 15-19 | 60             | 7.7%    | 9,843       | 7.8%    | 55,632   | 7.1%    |
| 20-24 | 39             | 5.0%    | 8,610       | 6.8%    | 51,665   | 6.6%    |
| 25-34 | 138            | 17.6%   | 17,160      | 13.5%   | 108,840  | 13.9%   |
| 35-44 | 151            | 19.3%   | 20,560      | 16.2%   | 127,601  | 16.3%   |
| 45-54 | 81             | 10.3%   | 15,805      | 12.5%   | 103,999  | 13.3%   |
| 55-59 | 20             | 2.6%    | 5,966       | 4.7%    | 39,320   | 5.0%    |
| 60-64 | 30             | 3.8%    | 5,048       | 4.0%    | 32,199   | 4.1%    |
| 65-74 | 33             | 4.2%    | 8,420       | 6.6%    | 56,415   | 7.2%    |
| 75-84 | 24             | 3.1%    | 4,844       | 3.8%    | 34,762   | 4.4%    |
| 85+   | 12             | 1.5%    | 1,537       | 1.2%    | 10,549   | 1.3%    |

Source: US Census, 2000

Table 5 shows some selected demographic information about the residents of Felton. Felton has a high percentage of households headed by a single parent and a higher number of civilian veterans than either the State or Kent County.

Table 5. Cultural Profile for Felton, Kent County and Delaware, 2000

| Item   | Felton | Kent County | Delaware |
|--|--------|-------------|----------|
| Median age   | 33.1   | 34.4        | 36       |
| % Population 19 years and younger  | 32.7%  | 30.6%       | 27.9%    |
| % Population 60 years and older  | 12.6%  | 15.6%       | 17%      |
| % Population 25 years and older with High School Diploma                     | 77.9%  | 79.4%       | 82.6%    |
| % Population 25 years and older with Bachelor Degree or higher               | 12.1%  | 18.6%       | 25%      |
| % Households headed by resident 65 and over                                  | 9.4%   | 8.4%        | 9.1%     |
| % Households headed by single parent   | 14.5%  | 11.7%       | 9.9%     |
| % Households with no vehicle available                                       | 6.3%   | 7.8%        | 8%       |
| % Residents 5 years and over disabled  | 16.8%  | 17.1%       | 16.8%    |
| % Residents 5 years and over who speak English 'less than very well'         | 0.7%   | 3%          | 3.9%     |
| % Residents 16 years and older in the workforce                              | 70.7%  | 67.1%       | 65.7%    |
| % Residents 16 years and older who work for government or the Armed Services | 15.7%  | 16.7%       | 9.2%     |
| % Residents 18 and over who are civilian veterans                            | 20.8%  | 18.6%       | 14.4%    |

Source: US Census, 2000. Compiled by IPA

Table 6. Selected Income Data for Felton, Kent County and Delaware, 2000

| Item                                       | Felton   | Kent County | Delaware |
|--|----------|-------------|----------|
| Median household income                    | \$42,589 | \$40,950    | \$47,381 |
| % Households with wage and salary income   | 81.7%    | 82.1%       | 81.3%    |
| Mean wage and salary income (earnings)     | \$46,716 | \$47,818    | \$59,142 |
| % Households with social security income   | 21.6%    | 25.7%       | 26.9%    |
| Mean social security income                | \$8,440  | \$10,880    | \$11,997 |
| % Households with retirement income        | 18.9%    | 21.9%       | 21.0%    |
| Mean retirement income                     | \$24,725 | \$16,014    | \$17,871 |
| % Households with public assistance income | 4.7%     | 3.3%        | 2.7%     |
| Mean public assistance income              | \$664    | \$2,479     | \$2,516  |
| % Population below poverty level           | 10.4%    | 10.7%       | 9.2%     |
| % Seniors below poverty level              | 13.8%    | 8.8%        | 7.9%     |
| % Children below poverty level             | 15.2%    | 14.8%       | 11.9%    |

Source: 2000 US Census. Compiled by IPA

The values reported for households with public assistance income and for persons living below the poverty level reflect Felton's position as a town center within a historically rural portion of the County, with available rental and lower cost or older housing.



## 2.3 Housing

Felton's housing stock consists primarily of single-family detached dwellings with a few multi-family and mobile homes. Compared to Kent County and the State of Delaware, Felton has a high percentage of homes built before 1940.

Table 7. Inventory of Housing Stock, Felton, Kent County, and Delaware in 2000

| Housing Type            | Felton     | % of total  | Kent County  | % of total  | Delaware      | % of total  |
|-------------------------|------------|-------------|--------------|-------------|---------------|-------------|
| Single-Family, Detached | 239        | 78.4%       | 29,502       | 58.4%       | 191,688       | 55.9%       |
| Single-Family, Attached | 4          | 1.3%        | 4,230        | 8.4%        | 48,340        | 14.1%       |
| Multi-Family            | 45         | 14.7%       | 7,324        | 14.5%       | 64,128        | 18.7%       |
| Mobile Homes            | 17         | 5.6%        | 9,392        | 18.6%       | 38,281        | 11.2%       |
| Other                   | 0          | 0%          | 33           | <1%         | 635           | <1%         |
| <b>Total</b>            | <b>305</b> | <b>100%</b> | <b>50481</b> | <b>100%</b> | <b>289919</b> | <b>100%</b> |

Source: 2000 US Census.

Table 8. Age of Housing Stock, 2000

|                    | Town of Felton |             | Kent County |         | Delaware |         |
|--------------------|----------------|-------------|-------------|---------|----------|---------|
| Year Built         | Number         | Percent     | Number      | Percent | Number   | Percent |
| 1999 to March 2000 | 0              | 0%          | 1,313       | 2.6%    | 9,597    | 2.8%    |
| 1995 to 1998       | 31             | 10.2%       | 5,338       | 10.6%   | 28,717   | 8.4%    |
| 1990 to 1994       | 58             | 19.0%       | 6,255       | 12.4%   | 34,348   | 10.0%   |
| 1980 to 1989       | 68             | 22.3%       | 8,761       | 17.4%   | 60,729   | 17.7%   |
| 1970 to 1979       | 31             | 10.2%       | 9,494       | 18.8%   | 56,475   | 16.5%   |
| 1960 to 1969       | 18             | 5.9%        | 6,733       | 13.3%   | 49,446   | 14.4%   |
| 1940 to 1959       | 17             | 5.6%        | 7,633       | 15.1%   | 66,951   | 19.5%   |
| 1939 or earlier    | 82             | 26.9%       | 4,954       | 9.8%    | 36,809   | 10.7%   |
| <b>Total Units</b> | <b>305</b>     | <b>100%</b> |             |         |          |         |

Source: 2000 US Census

Table 9. Median Housing Values, 2000

| Jurisdiction      | Median Housing Value | Median Mortgage | Median Rent |
|-------------------|----------------------|-----------------|-------------|
| Felton            | \$92,000             | \$940           | \$568       |
| Kent County       | \$114,100            | \$994           | \$573       |
| State of Delaware | \$130,400            | \$1,101         | \$639       |

Source: US Census, 2000.

The Ownership and Vacancy Rates from the 2000 US Census indicate that Felton has a slightly lower percentage of owner-occupied units than either the County or the State, in general. It is expected that as Felton continues to grow, the balance between owner-occupied units and rental units will shift slightly in favor of owner-occupied units.

Table 10. Ownership &amp; Vacancy Rates, 2000

|                      | Town of Felton |         | Kent County |         | Delaware |         |
|----------------------|----------------|---------|-------------|---------|----------|---------|
|                      | Number         | Percent | Number      | Percent | Number   | Percent |
| Owner-Occupied Units | 180            | 59%     | 33,040      | 65.5%   | 216,038  | 63.0%   |
| Rental Units         | 107            | 35%     | 14,184      | 28.1%   | 82,698   | 24.1%   |
| Vacant Units         | 18             | 6%      | 3,257       | 6.5%    | 44,336   | 12.9%   |
| Total Units          | 305            | 100%    | 50,481      | 100%    | 343,072  | 100%    |
| Seasonal Units       | 1              | <1%     | 364         | <1%     | 25,977   | 7.6%    |

Source: US Census, 2000.

There are currently three (3) subdivisions under construction within Town limits. The Randall's Glen subdivision has 3 lots remaining; the Hidden Pond subdivision has three (3) lots remaining in Phase III and all of the 31 lots of Phase IV; and the Rosewood Farms subdivision has 24 lots remaining. In addition to these subdivisions, there are also a limited number of individual single family lots that have yet to be developed.

The Town has approved Preliminary Plans for two (2) additional subdivisions. One of these will be located on approximately 65.5 acres of recently annexed property situated in the northwest corner of Town. The subdivision was referred to as Twin Lakes in the 2006 amended Comprehensive Plan. There are 387 townhouses being proposed and it is now being referred to as Berkshire.

The Preliminary Plan for the Landings at Felton subdivision has also been approved. It will be located on approximately 24 acres of recently annexed property situated north of Peach Basket Road and east of the intersection of Turkey Point Road and Peach Basket Road. There are 55 single family homes being proposed for this subdivision.

Certain groups within Felton's population may need additional housing options, beyond the available single-family units, to best meet their housing needs. Some residents or future residents who might be better served with more diverse housing include:

Seniors- Although Felton has a smaller population of seniors than Kent County and the State of Delaware, the majority of Felton's seniors live in single-family homes that may, with time, become too large and require too many repairs for their fixed incomes and budgets. A senior housing development is currently under construction just outside Town limits, south of the intersection of Walnut Street and Peach Basket Road. The development is referred to as Hurd's Crossing and when it is completed it will provide 36 senior housing units

Single Parent & Low-Income Families- As a town center, Felton has a higher percentage of single-parent households, children/families living under the poverty level and seniors living under the poverty level (see Tables 5 and 6, above). In these cases, residents may be pressed to meet their rent or mortgage payments for a single-family home. The Town would like to encourage multi-family units or townhouse development which would provide more affordable home costs while also cutting maintenance costs. The Town is also encouraging increased commercial uses adjacent to the existing Town Boundaries. An increase in commercial uses will provide services and employment opportunities nearby to decrease travel times.

In summary, the Town of Felton will continue to encourage the development of additional single-family homes that are the core of Felton's physical identity, but will also encourage the denser housing options recommended under the Livable Delaware initiatives, such as townhouses. The Town will actively encourage the development of suitable senior housing within the town.

## 2.4 Economic Profile

Table 11. Employment Sectors by Standard Industrial Classification

| Employment Sector   | Description   |
|---|---|
| A: Agriculture, Forestry, And Fishing                                   | Establishments primarily engaged in agricultural production, forestry, commercial fishing, hunting and trapping, and related services   |
| B: Mining   | Establishments primarily engaged in mining  |
| C: Construction   | Establishments primarily engaged in construction  |
| D: Manufacturing  | Establishments engaged in the mechanical or chemical transformation of materials or substances into new products  |
| E: Transportation, Communications, Electric, Gas, And Sanitary Services | Establishments providing, to the general public or to other business enterprises, passenger and freight transportation, communications services, or electricity, gas, steam, water or sanitary services, and all establishments of the United States Postal Service |
| F: Wholesale Trade  | Establishments or places of business primarily engaged in selling merchandise to retailers  |
| G: Retail Trade   | Establishments engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of the goods  |
| H: Finance, Insurance, And Real Estate                                  | Establishments operating primarily in the fields of finance, insurance, and real estate   |
| I: Services   | Establishments primarily engaged in providing a wide variety of services for individuals, business and government establishments, and other organizations   |
| J: Public Administration  | Jobs engaged in the executive, legislative, judicial, administrative and regulatory activities of Federal, State, local, and international governments  |

Source: Occupational Health and Safety Administration, US Department of Labor

Table 12. Town of Felton Employment Figures by Employment Sector

| Sector  | Number of Jobs | Percent     |
|---|----------------|-------------|
| A: Agriculture, Forestry, Fishing And Mining                            | 2              | <1%         |
| C: Construction   | 34             | 9.4%        |
| D: Manufacturing  | 36             | 10.0%       |
| E: Transportation, Communications, Electric, Gas, and Sanitary Services | 32             | 8.9%        |
| F: Wholesale Trade  | 11             | 3.0%        |
| G: Retail Trade   | 36             | 10.0%       |
| H: Finance, Insurance, And Real Estate                                  | 29             | 8.0%        |
| I: Services   | 141            | 39.2%       |
| J: Public Administration  | 40             | 11.1%       |
| <b>Total</b>  | <b>351</b>     | <b>100%</b> |

Source: U.S. Census 2000

The Town of Felton is primarily a residential community, and as such, has limited job opportunities. The Felton Bank, the Lake Forest School District and small businesses are the primary in-town sources of employment. From the 2000 Census data it can be interpreted that a majority of the adult, employed residents of Felton work in other places. The 2000 US Census also reported an average “travel time to work” of 25.1 minutes making the Town of Felton primarily a residential community.

## 2.5 Racial Composition

Table 13. Racial Composition of Felton, Kent County, and Delaware

| Race                             | Felton     | % of total  | Kent County    | % of total  | Delaware       | % of total  |
|----------------------------------|------------|-------------|----------------|-------------|----------------|-------------|
| White                            | 647        | 82.5%       | 93,106         | 73.5%       | 584,773        | 74.6%       |
| Black or African American        | 91         | 11.6%       | 26,180         | 20.7%       | 150,666        | 19.2%       |
| American Indian or Alaska native | 8          | 1.0%        | 806            | <1%         | 2,731          | <1%         |
| Asian                            | 10         | 1.3%        | 2137           | 1.7%        | 16,259         | 2.1%        |
| Hawaiian/Pacific Islander        | 0          | 0           | 50             | <1%         | 283            | <1%         |
| Other Race                       | 7          | 0.9%        | 1611           | 1.3%        | 15,855         | 2.0%        |
| Two or more races                | 21         | 2.7%        | 2,807          | 2.2%        | 13,033         | 1.7%        |
| <b>Total</b>                     | <b>784</b> | <b>100%</b> | <b>126,697</b> | <b>100%</b> | <b>783,600</b> | <b>100%</b> |

Source: US Census, 2000

## 2.6 Educational Attainment

Table 14. Educational Attainment

| Jurisdiction      | High School Graduate or Higher | Bachelor's Degree or Higher |
|-------------------|--------------------------------|-----------------------------|
| Felton            | 77.9%                          | 12.1%                       |
| Kent County       | 79.4%                          | 18.6%                       |
| State of Delaware | 82.6%                          | 25.0%                       |

Source: US Census, 2000. Compiled by IPA

## 2.7 Economic Development

The Town currently has a limited number of businesses located within its boundary. The Town also has a limited amount of available commercially zoned parcels for new businesses to develop. Although the Town does not envision itself as becoming an economic hub, it would like to see more service related businesses willing to locate within its boundary as it grows. This would provide a convenience to its current and future residents.

There are currently has approximately 7.5 acres of commercially zoned property available for purchase within the current Town boundary. The property is located adjacent to the Hidden Pond Subdivision and consists of two (2) parcels located on either side of Ludlow Lane. Both of these parcels front Route 13 and their has been interest shown in them in the past. One of those showing interest was a grocery store food chain. However, no proposals have been formally submitted to the Town for development.

The Town is proposing a residential zone in its draft Zoning Ordinance that will incorporate a commercial component. This will allow for the location of businesses such as supermarkets and restaurants to be located within new residential subdivisions.

## 2.8 Summary of Issues

In general, the 2000 US Census demographic statistics show that Delaware's towns and cities have higher racial and ethnic diversity, higher percentages of low-income seniors and higher percentages of single-parent families than unincorporated areas of the State and County. This is a result of the historic concentration of community services, older and less expensive housing, including multi-family housing, near-by shopping, and employment opportunities for unskilled or younger persons. Felton's demographics reflect many of these elements.

*Children's Issues:* Felton has a higher percentage of children under age 19, a higher percentage of children living below the poverty level and a lower percentage of children graduating from high school than unincorporated areas within the State and the County.

*Family Issues:* In addition to children, Felton has a higher than average population of 19 to 44 year olds which are the prime child rearing years and require services geared toward families with children. Felton also has a high percentage of family units with single parent homes and more homes headed by a senior citizen than in the State or Kent County.

These issues have implications for childcare, schools, transportation, public safety, social services, building maintenance, parks, recreation and open space.

*Senior Issues:* Felton has a lower than average population of senior citizens, but those in Felton who are 65 and older are more likely to be living below the poverty level than elderly residents of the State or Kent County. This has implications for healthcare, emergency medical services, and maintenance of homes.

*Housing Issues:* Although most homes in Felton are in very good condition, the number of homes built before 1940 makes maintenance issues a very real concern. Seniors may have less ability and money to affect needed maintenance and repairs and are also most likely to be targets of construction scams. Also, single parent households may not have the time, skills or money to affect needed repairs, and low-income households may not have the necessary resources.

Felton has a significant percentage of rental housing which studies have shown tend to not be as well maintained as owner-occupied units.

*Economic Development:* The amount of available commercially zoned property is limited. The limited number of businesses located within the Town requires that residents travel to other towns or cities for services such as food shopping and restaurant dining.

## 2.9 Recommendations

*Childcare* – Although a small daycare exists near Felton, it would be of great benefit for one to be located within Town limits. The Town of Felton should be pro-active in attracting a daycare facility to the Town. This could be accomplished through creating a viable market through proper zoning regulations and possible tax incentives..

*Schools* – As the population of Felton increases so will the corresponding population of school age children, most likely requiring additional classroom space. The Lake Forest School District has stated that they will not expand the elementary school at the current location. The school district has recently completed construction of and opened a new elementary school in the City of Harrington.

- The Town of Felton should continue to promote the role of the Lake Forest North Elementary School as a community education, recreation, and cultural resource possibly through combined initiatives such as “Safety Day” programs.
- The Town should also consider reserving an alternative site for a new larger school within the Town’s Boundaries and work with district officials in their expansion programs for the area’s schools.
- Felton has a low college attainment level, which could possibly be helped through a college assistance program. This program could be financial or simply instructional.

*Social Services* – Social services such as health care for children and transportation for seniors are of great importance because of Felton’s high poverty rate among children and senior citizens. Although social services are provided by Kent County and the State of Delaware, the Town could provide contacts between the residents and the social providers.

- These contacts could be provided through the Town’s newsletter, having information available at Town Hall and contacting agencies for families or persons in need.

*Healthcare* – There is currently one physician practicing in Town. However, additional medical practitioners and perhaps a dentist would be a welcome addition to the Town. This would provide a convenience to Town residents in general, but especially to the elderly. The possibility of obtaining local medical treatment would result in a reduction of travel difficulties for the elderly.

- The Town should encourage medical practitioners to investigate business opportunities in Town should the opportunity to do so ever present itself.

*Housing* – In Felton, where the majority of houses are older, home maintenance affects everyone, particularly senior citizens and single parent families. Some low cost ways that the Town of Felton could assist the residents are:

- By publicly recognizing well-maintained and newly fixed-up properties including landowners and tenants.
- Consider passing more stringent maintenance codes within the Town. Publish and distribute a brochure to all homeowners and tenants explaining the code requirements for maintenance and listing resources for help.
- Find grants or provide other financial assistance in situations where property owners are not able to make expensive renovations.
- Ask local Churches, Boy Scouts, Girls Scouts and other community groups to provide maintenance assistance to residents in need. Solicit donations from local contractors and others to supply goods for these repairs.
- Actively seek out, participate in, administer and coordinate Federal and State funding programs for housing rehabilitation. For example, the Delaware State Housing Authority's Housing Rehabilitation Loan Program provides a 3% loan, either conventional with a regular repayment schedule, or as a deferred loan with a lien registered on the property to be satisfied at the time of resale. There are also some non-profit agencies that provide a wide range of housing assistance and counseling programs including Interfaith Housing Delaware Inc., and Community Housing Inc.
- When updating the Felton Planning Code include favorable sections for the creation of retirement communities and townhouses to provide homes with less maintenance and cost issues.

*Economic Development* – The Town can increase the likelihood that businesses will locate within its current or future boundary by:

- Contact owners of currently zoned commercial parcels to inquire about potential proposals and communicate the Town's needs.
- Encourage developers of parcels annexed in the future, after adoption of the draft Zoning Ordinance, to incorporate desirable businesses within their development.



## CHAPTER 3. COMMUNITY SERVICES

3.1 Felton Police Department

3.2 Felton Community Fire Company & EMS

3.3 Schools

3.4 Trash Collection

3.5 Libraries

3.6 Museum

3.7 Felton Community Center

3.8 Community Clubs and Organizations

3.9 Summary of Issues and Recommendations

### 3.1 Felton Police Department

The Felton Police Department serves residents within the Town's Boundaries and consists of a Police Chief, four full-time officers, one part-time officer, and a part-time clerk. The officers and clerk report to the Chief who reports to the Town Manager. The Police Department is located in the same building as Felton Town Hall (See Map 3-Critical Facilities and Historic District). This location only houses offices for the Police Department; any processing of defendants takes place at the Harrington JP Court #3. The Felton Police Department provides 21-hour coverage daily. Most of the officers' time is spent responding to incidents in Town, patrolling within Town limits and conducting traffic control. Officers also participate in DUI patrols and State programs such as "Click it or Ticket" and the Aggressive Driving initiative.

The Felton Police Department also has Mutual Assistance Agreements with many surrounding towns including Camden, Wyoming, Milford, Harrington, and Frederica as well as the Delaware State Police, specifically Troop #3 in Camden.

Areas with a variety of uses and a diverse population such as the core areas of Felton along Main, Walnut, Church and High Streets tend to have fewer crime issues per property due to the high level of community activity and 'eyes on the street'. If remote parcels are developed before parcels adjacent to the Town, those isolated communities may not benefit from that same level of crime deterrence, and may create a greater strain on the police department. The high numbers of local children currently living in Felton and those projected in the future, if unoccupied or unsupervised, also have the potential to be a drain on police resources.

### 3.2 Felton Community Fire Company and EMS

The Felton Community Fire Company and EMS provide fire and ambulance services throughout the entire Felton zip code (19943), which stretches from just east of US Route 13 almost to the Maryland border. The Fire Company operates as an independent volunteer company, separately from the Town government structure. The Fire Hall is located on Main Street (see Map 3-Critical Facilities and Historic District). The Felton Community Fire Company and its Ladies Auxiliary provide not only emergency services but they function as an important social circle for Felton and the surrounding area.

Town Council adopted a Community Impact Fee in 2007. The \$1,200 fee is charged to the applicant's requesting a Certificate of Zoning Compliance for new residential or commercial buildings. The purpose of the fee is to help generate funds for the Fire Company to keep pace with the increasing size of their service area and also to generate funds for the Town for municipal building upkeep and improvements. The Fire Company receives \$900.00 and the Town receives \$300.00 from each fee charged.

The Fire Company, EMS and Ladies Auxiliary meet monthly, as well as for special occasions throughout the year. The local Boy Scout Troop is sponsored by the Fire

Company and meets at the Fire Hall. The Fire Hall is also commercially available for meetings and banquets for a fee.

### 3.3 Schools

The Town of Felton is located within the Lake Forest School District and is served by the Lake Forest North Elementary School, located in Felton, the W.T. Chipman Middle School, the Lake Forest Central Elementary School and the Lake Forest High School, all three which are located outside Town limits. The Lake Forest School District is administered by the Lake Forest Board of Education. Funds are provided through a school district tax, which is collected in conjunction with Kent County property taxes.

The Lake Forest North Elementary School is also available for meetings and is used as the local polling place during County, State and National Elections.

### 3.4 Trash Collection

The Town of Felton contracts with Independent Disposal Service for weekly trash collection throughout the Town. This contract is re-bid every three years and will be up for bid in June of 2009. Residents are billed for trash collection on a quarterly basis.

The Delaware Solid Waste Authority has recycling igloos located on Town lands near the stone depot. These igloos have collections for plastics, newspapers, corrugated cardboard, aluminum, tin, glass and batteries. Curbside recycling services are also available through Delaware Solid Waste Authority for an additional fee. One aspect of Livable Delaware is a mandate to reduce the amount of solid waste by 30%. This goal is one that Felton, as well as the entire State of Delaware, should try to achieve.

### 3.5 Library

Although the Town of Felton does not operate a library, the Kent County Bookmobile stops at the Felton Fire Hall every other week. The nearest library is in Harrington, but many people travel to Milford or Dover for the larger facilities.

### 3.6 Museum

The Felton Community Historical Society operates the Felton Community Museum located in the original Railroad Station located at 206 East Railroad Avenue. The Railroad Station is a central building in Felton's history since Felton is a "whistle stop" town and owes its start to the railroad (see Map 3-Critical Facilities and Historic District Map). The Town Council feels that the Historical Society is the best steward of this special part of Felton's heritage. The museum is open on the first Saturday of each month and for special occasions and tours.

### 3.7 Felton Community Center

The Felton Community Center is located at 14 N. Walnut Street and is used by non-profit groups such as the Felton Little League, the local VFW #6009, numerous Girl Scout Troops, and is a card & game club meeting place. The Community Center is also available for party rentals by individuals.

The Felton Community Center is the location of most of the “Felton Fridays” events which take place over the summer months.

### 3.8 Community Clubs and Organizations

The Felton Community Historical Society meets monthly at the Felton Community Museum to carry out their mission of *Preserving the Past for the Future*. Its members are active in preserving the Town’s cultural heritage and in educating the public about Felton’s past. The Felton Community Historical Society also operates the Felton Community Museum.

Felton also has a distinguished women’s group called the Avon Club. This group originated at the turn of the century as a Shakespeare Appreciation Society (the name is a shortened version of Stratford-On-Avon). The Avon Club is now primarily a social and charitable organization.

The Town of Felton is home to the Independent Order of Odd Fellows Lodge #30 and their sister group, The Rebekahs. The I.O.O.F. maintains a small memorial park on Main Street which they decorate each year for Christmas with lights and a small house with Santa to greet children. The I.O.O.F. is also a charitable group with their main focus on children’s college scholarships.

There are also two churches located in Felton, the Felton United Methodist Church on Main Street and the Rescue House of Prayer on Church Street (see Map 3-Critical Facilities and Historic District).

### 3.9 Summary of Issues & Recommendations

*Police Department* - As outlying parcels are annexed and developed, the patrol area will be greatly increased and the Town will need to evaluate its police resources in order to provide the same level of protection that residents have currently come to enjoy. The Town needs to determine at what point additional staff and equipment will become necessary and make arrangements to meet that need well.

- The Town should conduct a needs assessment of the Felton Police Department and its capacity to serve anticipated growth then create a projection of additional staff and equipment needed for future annexation and development.

- The Geographic Information System (GIS) data sets and maps which are part of this Plan should be shared with the Department to assist with planning efforts.

*Fire & EMS Services* – The Felton Community Fire Company currently has a large and active membership but in some parts of the State, volunteer services are starting to have problems finding members. As older members retire and more area is annexed and developed (increasing need), staffing the fire and ambulance service may become a critical issue within the Town.

- The Town should work with the Felton Community Fire Company to share information about future projects, annexations and development within the Felton area and assist in recruitment efforts.

*Trash Collection* – More effort could be made by the Town to comply with the Governor’s goal of 30% waste diversion. Although there are recycling igloos within Felton, residents may not be aware of them or the importance of recycling. In the past residents have been discouraged from recycling due to infrequent clearing of the bins.

- The Town should have more active communication with Delaware Solid Waste Authorities Recycling Department to reduce overfilling of the igloos and to track the amount that Felton recycles.
- The Town continues to pickup and dispose of yard refuse separately, which keeps down the amount of waste going to landfills.
- The Town could increase participation in the recycling program by educating the public about the availability of the recycling igloos and the ways that recycling benefits everyone. The Town mentions the availability and location of the recycling igloos in the newsletter. But, special recycling program at the North Elementary School might also help increase participation.

*Libraries*- The Town of Felton does not operate a library, but it can encourage the use of the Bookmobile and surrounding libraries, which could possibly increase the educational achievement of its residents.

- The Town regularly mentions the dates when the book mobile will be in Town in their newsletter. But, residents could also be made aware that they can request that books be sent from the Dover and Milford libraries to the Harrington library to reduce travel time. The instructions on using the Internet to access the catalogs of any library in Delaware could also be of use to residents.
- The Town could also sponsor a “Share-A-Book Day” where the Town would collect donations of new books to be distributed to children in Felton. The Town has instituted a “Lending Library” which is run out of the Town Hall. They also began giving books to children during Halloween trick-or-treat.

*Community Clubs and Organizations* – Most clubs and organizations in Felton would welcome new members The Town mentions these clubs and organizations in a flyer they distribute. This may eventually help the Town bring the clubs and the residents together.

- The Town could possibly produce a “Welcome to Felton” type booklet listing all the clubs and organizations for the benefit of new residents.

## CHAPTER 4. RESOURCE PROTECTION

4.1 Community History and Character

4.2 Open Space and Recreation

4.3 Environmental Resources

4.4 Summary of Issues and Recommendations

## 4.1 Community History and Character

Many of the Town's residents were born and raised in or near Felton, or are long time residents, making Felton a small, quiet town where everybody knows everybody. Set in a rural area with few major employers, it is primarily a bedroom community. The 2000 US Census reports that approximately 20 percent of residents are retired, 384 people were in the labor force, with approximately 37 percent of persons working in the service sector and another 30 percent working within the public administration, retail trade and manufacturing sectors (see Table 11 and 12).

The historic core area of Town was listed as a National Register Historic District in 1987 and is detailed on Map 3 Critical Facilities and Historic District. Built between 1856 and 1940, this district is dominated by Victorian era homes and includes a commercial area just west of the railroad. Most of these homes are wood frame with wood or wood-style cladding and porches are common, although many have been enclosed to create additional interior rooms. A wide diversity of home sizes and values characterize the historic core of Town. The churches and community buildings (such as the post office and fire station) tend to be brick or stone. The Felton Railroad Station is individually listed on the National Register of Historic Places.

Felton has been blessed with considerable historic resources that contribute greatly to the character and aesthetics of the Town. With a few exceptions, the historic core of the community is in very good condition and does not raise redevelopment issues. However, a third of the existing housing stock is greater than 40 years old, and these buildings may have special maintenance needs. These are the buildings that give the Town its special character, but because they tend to be larger and more expensive to maintain, the Town may receive some requests to convert some of these stately homes to other uses. It will be important to handle these on a case-by-case basis and to work with the State Historic Preservation Office and the Kent County Historic Preservation Planner in determining the fate of these buildings. It is extremely important that these buildings be properly used and maintained so that none are lost as a result of neglect or development.

The Felton Zoning Code contains a Historic District as an overlay district that regulates uses within the historic area. When a proposal is made to construct or modify buildings on properties within the historic district the Town Council must approve all changes. These approvals are based on public necessity and preservation of the historic or architectural value of the property.

The historic core of Town has a pedestrian orientation both functionally and visually which makes the Town picturesque, easy, and safe for residents, including children, to get around. Many streets have sidewalks and are lined with large street trees. Driveways are narrow (8' to 12') with garages, when present, behind or to the rear of the house. There are few large parking lots to mar the view and create discomfort for pedestrians.

There are currently no highway-scale strip malls, large office buildings, or large expanses of parking (except for the firehouse) in the center of town and the existing commercial

buildings are all of a residential scale. There is an apartment complex just off of Route 13 adjacent to the Randall's Glen Subdivision; and there is approximately seven and a one half (7 ½) acres of commercial property available bordering Route 13 and bounded by the Hidden Pond Subdivision on the west, at the northeast corner of the Town. Local residents would like to see a supermarket or restaurant develop here.

Future annexations included under this plan are primarily residential, and will be an extension of the Town's bedroom community character, but as new construction will have the potential to change the Town's physical appearance and built environment. Particularly important are issues of proximity to town, connectivity to the existing street network, scale and design of the residential units, and overall layout of the developments. As Felton plans for the future, it will address both the historic character of the community and the implications of expected growth and development. The community's goals and planning policies, the Comprehensive Plan, and its Planning & Zoning Code will guide how the Town addresses these issues.

## 4.2 Open Space and Recreation

The Felton Little League operates and maintains 10 acres of baseball fields and active recreational open space, which are available to residents when Little League games or practices are not in session. These baseball fields are located at the Lake Forest North Elementary School on land owned by the Lake Forest School District. There is also a playground at this location, which is maintained by the school and available during non-school hours. The park is a successful collaboration between a non-profit organization and the school district that benefits the entire community.

Felton also has a tiny memorial park, which is owned by the Town and maintained by the International Order of Odd Fellows Lodge #30. This park is named the I.O.O.F. Memorial Park and contains a bench and a monument to all the men and women in the armed forces.

Most Felton residents pursue recreational activities at Killen's Pond State Park, which is approximately 5 miles southeast of Felton and the Norman G. Wilder Recreation Area northeast of Felton. The closest Senior Center is in Harrington although many residents travel to Dover to enjoy the facilities at the Modern Maturity Center.

The Town currently includes 34 acres of playgrounds, parks and dedicated open space.

The current Planning & Zoning code requires new subdivisions to dedicate 25% of the land area to common open space, which ultimately is maintained by the developer or homeowner's association. The current open space requirements make no distinction between active and passive open space and areas such as undisturbed woodlands, wetlands and constructed features like storm water management ponds may all be considered as open space. The draft Zoning Ordinance requires that a minimum of 10% of the total area of residential developments be dedicated as active open space. Woodlands, wetlands, and stormwater management areas may be considered as only passive open



space and in no case shall the total open space (active plus passive) be less than 25% of the total site area.

Felton also recognizes that additional recreational resources would benefit the senior population, by providing them with near-by opportunities to remain active and healthy. One popular addition to consider would be walking trails. The survey portion of the current SCORP (Statewide Comprehensive Outdoor Recreation Plan) shows that 84% of Lake Forest School District residents anticipated walking or jogging within the next year and 61% would participate more in outdoor activities if there were facilities closer to their home.

### 4.3 Environmental Resources

In Delaware, most authority for environmental regulation rests with DNREC. Sediment and Erosion control and Stormwater Management has been delegated by the State to the three County Conservation Districts, and New Castle County has taken the lead in implementing other environmental regulations.

Felton's Zoning Ordinance currently has limited environmental protections for noise, air and light pollution. The Ordinance has no additional provisions for protection of environmental resources which are regulated by other agencies or are not currently regulated.

*Wetlands* – Regulatory protection of wetlands is mandated under section 404 provisions of the Federal Clean Water Act. Certain other wetlands (mainly in tidal areas) are accorded additional regulatory protection under Title 7, Chapter 66 provisions of the State of Delaware's Code. Compliance with these statutes may require an Army Corps of Engineers approved field wetlands delineation and/or official DNREC wetland jurisdictional determination.

In addition to the requirements above, the Town's draft Zoning Ordinance contains a riparian buffer area requirement. If adopted, this requirement will provide for a buffer area along wetlands, streams, waterways, or lakes, in which no lot lines shall be permitted to be platted.

*Floodplain Ordinance* – The Federal Emergency Management Agency (FEMA) oversees the national flood insurance program, floodplain delineation and flood elevation determinations. To participate in the insurance program, counties and municipalities must maintain ordinances that regulate development and construction within a floodplain. Felton has developed and adopted a floodplain ordinance and is a current member of the FEMA program.

*Source Water Protection* - As areas farther from the central core of Felton that have many environmental resources are annexed, these resources should be preserved, greatly enhancing the character of the Town. Areas where rainfall and snowmelt can readily recharge the groundwater, have been mapped by the Delaware Geological Survey (see

Map 10, Conservation Areas). Title 7, Chapter 60, Subchapter VI, § 6082 of the Delaware Code requires municipalities with greater than 2,000 persons and all counties to adopt source water protection ordinances by December 31, 2007. Kent County has adopted a source water protection ordinance and although the Town of Felton has a population of less 2,000, their draft Zoning Ordinance includes a source water protection requirement. The Town considers the areas designated as having excellent groundwater recharge potential to be significant natural features which warrant protection.

*Total Maximum Daily Loads (TMDLs) and Water Quality* – The Town of Felton is located within the Mudkill River watershed, which is an impaired watershed, according to Section 303(d) of the 1972 Federal Clean Water Act (CWA). Under Section 303(d) of the CWA, states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses. A TMDL defines the amount of a given pollutant that may be discharged to a water body from point, nonpoint, and natural background sources and still allows attainment or maintenance of the applicable narrative and numerical water quality standards. A TMDL is the sum of the individual Waste Load Allocations (WLAs) for point sources and Load Allocations (LAs) for nonpoint sources and natural background sources of pollution. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality. In simplistic terms, a TMDL matches the strength, location, and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. A Pollution Control Strategy (PCS) specifies actions necessary to systematically achieve pollutant load reductions specified by a TMDL for a given water body, and must reduce pollutants to a level specified by State Water Quality Standards.

The Town of Felton is located within the Murderkill River Watershed of the greater Delaware River and Bay drainage. This watershed is assigned a range of nutrient (nitrogen and phosphorus) and bacteriological TMDL load reduction requirements that, as mentioned previously, must be met in order to meet the State Water Quality Standards. Table 15 below presents the range of nutrient and bacteria requirements for the Murderkill River watershed.

Table 15. TMDL Nutrient and Bacteria reduction requirements for the Murderkill watershed

| <b>Delaware River and Bay Drainage</b> | <b>N – Reduction Requirements</b> | <b>P - Reduction Requirements</b> | <b>Bacteria Reduction Requirements</b> |
|--|-----------------------------------|-----------------------------------|--|
| Murderkill                             | 30%                               | 50%                               | 32% Fresh<br>65% Marine                |

Source: DNREC, Water Supply Section

*TMDL Reduction* - The Town has limited control over the major point sources of pollution, which are associated with wastewater treatment at the Kent County Frederica facility and Harrington's wastewater treatment plant. The TMDL regulations for the Murderkill Basin were promulgated in December 2001, and the Murderkill Tributary Action Team (a coalition of stakeholders within the watershed) is currently developing

pollution control strategies. The Town of Felton will participate when feasible with the Action Team to develop and facilitate implementation of the strategies.

The Town of Felton understands that DNREC and Kent County continue to negotiate over the impacts the TMDL regulations have on the treatment capacity of the Kent County Wastewater Treatment Plant. The Town will follow any developments in regulatory restrictions at the plant concerning TMDL implementation.

*Best Management Practices (BMPs)* - The Town of Felton will consider use of Best Management Practices (BMPs) that reduce these nutrient loads as part of revisions to subdivision and zoning regulations. Examples of BMPs include stream buffers, wetland preservation and forest protection and possible limitations on the use of fertilizers.

*Woodland Preservation* - The Town's Future Land Use Plan indicates the presence of larger wooded lots within the Town. Local individuals and groups have assisted in enhancing the green environment through the donation of small parcels of open space and through Arbor Day or other tree-planting ceremonies. During the Bicentennial, the Felton Historical Society planted 76 Cherry Trees as part of the celebration. In addition, the Town is incorporating a tree planting requirement as part of its draft Zoning Ordinance.

#### 4.4 Summary of Issues and Recommendations

*Community History and Character* – The Town of Felton will continue to strive to keep its small town character by working hard to preserve the buildings in the historic district while also managing the expansion and development of the annexation area.

- The Town should make owners of buildings contributing to the Felton National Register Historic District aware that they are eligible for State, County and federal tax credits for rehabilitating their homes or businesses. The Town can then help those residents receive applications and information regarding tax credits through the State Historic Preservation Office.
- The Town will look for redevelopment opportunities to maintain the built environment. Redevelopment should be consistent with the goal and objectives of the Town's Land Use Plan. Changes to less-intensive land use with reduced impervious surface should be considered positively because this reduces stormwater runoff and increases groundwater recharge. Some small commercial properties on US Route 13 may be of interest for redevelopment. Changes to land use on the highway should be consistent with DelDOT's Corridor Capacity Preservation Program.
- The Planning & Zoning Commission, the Town's engineers as well as Town Council should carefully review any proposed subdivision designs to ensure that new development is consistent and compatible with the existing community.
- As appropriate, the Town should consult with the Office of State Planning Coordination regarding the community design initiatives being undertaken through the Livable Delaware program.

*Open Space and Recreation* - The Town of Felton would like to increase recreational activities available, particularly for children and seniors.

- The Town may decide to survey Felton residents about their recreation preferences. This would give a more specific idea about what is needed in Felton and will provide the Town Council with solid groundwork for making decisions.
- The Town should review current lands, newly annexed lands and planned annexation areas for potential local parks and recreation sites.
- The Town should determine the maintenance issues and costs for potential new local parks. Arrangements for maintenance could come from the Town's maintenance department or through the residents themselves in the form of individuals or groups.
- Future parks should be accessible to all the Town's residents, and where possible, near other parks to provide corridors for recreation. When planning new local parks an effort should be made to include both active recreation such as walking trails and passive recreation such as benches for bird watching. Efforts should be made to preserve some of the Town's natural and aesthetic resources.
- The Town is currently in the process of updating the Planning and Zoning Ordinance and during this process the Town will review the Kent County Planning Ordinances regarding usable open space.

*Environmental Resources* – The Town of Felton includes provisions in the current Zoning Ordinance for environmental concerns. The Ordinance's Performance Standards include restrictions or prohibitions on: air pollution such as smoke, odors, flyash and dust; noise pollution, light pollution; and waste disposal, including specifically prohibiting discharging wastes into the drainage system, sanitary system, individual septic systems, on to the ground, or into streams or other water bodies, except in accordance with the Department of Health and Social Services, DNREC or other regulatory agencies. The revised Planning and Zoning Ordinance will also include environmental protection standards.

As the Town increases in size and population these regulations will become increasingly important. In addition, new laws have been passed which call upon Felton to increase its level of environmental control.

- The revised Planning and Zoning Ordinance will incorporate components to more specifically preserve open spaces for recreation, property protection and natural resource protection, through adequate controls over development in floodplains, and adjacent to wetlands, streams, or waterways..
- The Town will develop regulations to protect wellheads, based on DNREC guidelines published in the Source Water Assessment developed by DNREC.
- The Town will also develop a Groundwater Recharge Area protection regulation by working through the Planning and Zoning Committee. DNREC will be consulted in order to maintain as much of the excellent recharge area as possible. DNREC and Kent Conservation District regulations encourage conservation design and BMPs for many types of development. In addition to reducing the nature of impervious surfaces, such as large parking lots, these practices can also reduce runoff and minimize pollution in support of the Murderkill TMDL goals.

- During the Planning and Zoning Ordinance revision process, the Town will consider allowing cluster-type development, such as townhouses, on newly developing lands in water resource protection areas to maximize land preserved as open space.
- Future growth and development can be planned to enhance rather than depreciate natural amenities. Subdivision plans, such as the Hidden Pond subdivision, can provide conservation of streambeds and wooded areas and integrate active and passive open space.
- The Town should participate in the TMDL Murderkill Tributary Action Team formed by DNREC to help develop a plan to achieve the needed non-point source load reductions of nitrogen and phosphorus in this watershed.

## CHAPTER 5. INFRASTRUCTURE

5.1 Felton Water System

5.2 Wastewater System

5.3 Stormwater System

5.4 Transportation

5.5 Summary of Issues and Recommendations

## 5.1 Felton Water System

The Felton Water Department provides water to residents and businesses via two wells, Well 4, which currently produces most of the Town's water, and Well 3, which is permitted as a back-up. Well 2 is not permitted for water production but is permitted as part of the Town's system as an emergency well. Well 1 was abandoned in accordance with DNREC regulations. Wells 2, 3 and 4 pump water from aquifers that lie deep enough below the ground surface to be naturally protected from shallow pollution from fuel tanks and infiltrating nutrients. DNREC is in the process of evaluating the source waters for many municipal systems, but their first priority has been to complete the study of vulnerable, shallow groundwater sources. For deep wells, such as those utilized by Felton, DNREC recommends a 150-foot radius surrounding each well as a "wellhead protection area."

The amount of water a supply system produces is regulated by DNREC through Water Allocation Permits. The permits are issued with 30-year expiration dates, with reviews every 5 years during the permit period. The current water allocation for Felton, for both Well 3 and Well 4 is 236,800 gallons per day (gpd) and 43,216,000 gallons per year. The permit allows the Town to draw a maximum of 236,800 gpd, total, regardless of which well is being used. The Town currently draws and distributes approximately 100,000 gpd.

Wells 3 and 4 each have the capacity to draw water at a rate of approximately 300 gallons per minute (gpm). This equates to each well being able to draw approximately 430,000 gpd, with continuous operation over 24 hours. Although 24 hours of continuous operation is not recommended, the Town has the capability to meet its water production needs for the foreseeable future.

The Felton water system was upgraded in 1999 with a 200,000-gallon elevated water tank, and with the addition of a 580-foot deep water well (Well 4) which is now the main well. The project also included water main upgrades from 4-inch to 6-inch diameter and completion of water main loops. Together the improvements provided additional water production capacity, water storage, better fire hydrant performance, increased water pressure, and improved water quality.

These improvements were made possible with a \$300,000 low interest loan from the USDA, which was later converted to a Drinking Water Revolving Loan from the Delaware Office of Drinking Water (Division of Public Health) at a lower interest percentage. This loan is still being paid through a debt service fee collected in connection with the quarterly water billing.

The main well, Well 4, provides water that is free of iron, which had caused considerable problems in the past. Although this well greatly improved Felton's water system, the aquifer provides water with naturally-occurring arsenic. The arsenic concentration averages 22 parts per billion (ppb), which was in compliance with the maximum

contaminant level (MCL) for arsenic in effect prior to 2006, (50 ppb). However, in January, 2006 the arsenic MCL permitted by the State was reduced to 10 ppb.

The United States Environmental Protection Agency (EPA) sponsored a program designed to evaluate the effectiveness of various treatment technologies at removing trace amounts of arsenic. Specifically, the program was targeting the evaluation of treatment systems that could be incorporated by small scale water providers, such as the Town of Felton. The EPA program was administered in two phases. 12 sites were selected for participation in Phase I and 30 additional sites were selected for participation in Phase II. Felton was selected in 2004 as a Phase II site.

The EPA's contribution to the program was to provide the treatment system and the participating sites were required to provide a suitable space to house and protect the treatment system, along with any necessary alterations to the existing water distribution system. As a result, the Town applied for and received a \$300,000, 40 year, low interest loan from the USDA/Rural Development to fund the construction of a building and infrastructure to support the arsenic treatment system. The Town has incorporated the debit service for this loan into the quarterly water bills of all water users.

The building was completed and the treatment system was installed and operational in October 2006. Although the treatment system was not operational until after the reduction in the arsenic MCL, the EPA and the State were both aware of the difficulties the Town encountered during the construction process. The EPA collected sample data for treatment evaluation from October 2006 through November 2007. The treatment system has been successful in reducing the arsenic concentration below the current MCL. The EPA has since transferred ownership of the treatment system to the Town of Felton.

The entire water system, including the treatment facility mentioned above, is operated and maintained by the Town. The Town employs one full-time, certified water plant operator and a part-time staff person. Together, these two people take care of both the water system and local street maintenance.

The water system serves residential and commercial customers within the Town as well as providing water service to property owners outside the Town's limits, including the Lake Forest school complex on Killens Pond Road. The schools were connected to the system in 2001. Felton holds a Certificate of Public Convenience and Necessity (CPCN) which is up-to-date for the current Town boundary and all service connections outside of the Town limits, including the school complex to the southeast of Town, on Killens Pond Road. The Town has also received approval to include the recently annexed properties which are the proposed sites of the Berkshire and Landings at Felton subdivisions, in their current CPCN area. The area of the Town's CPCN is provided on Map 9.

The current Town Zoning Ordinance requires that all subdivisions be supplied by the Town's water supply system. The draft Zoning Ordinance will require all dwellings and principle uses to be served by the Town's central water system.



The Town of Felton meters water demand at the water wells, as well as at individual service connections. Individual water service meters provide the Town with the ability to bill for water based on usage, and to estimate how much water falls into the category of non-consumptive use, such as water used during fire fighting, line maintenance (flushing) or lost through leaks, by subtracting the metered volume from the pumped volume.

Tidewater Utilities, Inc., (TUI) holds a CPCN on county lands northeast of Felton but does not operate a water treatment plant or water distribution system in the Felton area at this time. During the annexation of the Ludlow property (later Hidden Pond subdivision), the Town and TUI entered into an agreement that transferred TUI's CPCN rights to Felton for Ludlow property parcels that annexed into the Town. In exchange, the Town agreed to provide, upon request, bulk water sales to Tidewater (if requested) of up to 100,000 gpd and allow TUI the right of first refusal, if the Town ever seeks to contract out water operations. See Map 9 - CPCN Territories.

*Water System Capacity* – Felton has recently increased its Water Impact Fee, which is paid by new water service customers. These fees are maintained in an enterprise-type account for future system improvements. Payment for the expansion of the system to and throughout new subdivisions or developments is the responsibility of the developer(s).

The Town recently filed an application with DNREC and the Delaware River Basin Commission (DRBC) for an increase in their water allocation permits for Wells 3 and 4. The increase was approved and the current water allocation permits allow the withdrawal of 236,800 gallons per day (gpd) and 43,216,000 gallons per year. The Town is currently withdrawing approximately 42% of its allocation, or 100,000 gpd. A commonly used measure of water use is the Equivalent Dwelling Unit or EDU. An EDU is approximated as an average usage of 225 gpd.(1 EDU = 225 gpd). The Town's current allocation includes enough water to serve an additional 608 EDU's. No additional wells are needed to meet the new allocation because Wells.3 and 4 each have the capability to produce a maximum of 430,000 gpd

The Town is currently planning for additional water production needs. The Town is in the process of formulating an agreement with a subdivision being proposed adjacent to Lake Forest High School on Killens Pond Road. The developer of the subdivision, which is being referred to as Spartan Village, is proposing 268 units and is requesting water service from the Town. The Town is agreeable to providing water service if the developer will provide a suitable location for a future well and a treatment facility on the site. As development continues, the Town will continue to accrue water impact fees. As the total money generated by these fees grows, the Town will monitor the increased number of water users. When an additional well and/or a water tower become necessary, these items will be funded by impact fee-generated funds.

Water system life-of-service is 50 to 60 years; therefore serious thought is given to any request for service expansion. The Town of Felton's current system, including the water main which runs south and west to the Lake Forest High School, is suitable for systematic expansion, when the need arises.

## 5.2 Wastewater System

Kent County has provided sanitary sewer service to Felton since 1977. The Town is served through the Felton Sanitary Sewer District, Pump Station 21, and the Kent County Wastewater Treatment Facility at Frederica.

The current Town Zoning Ordinance requires that all subdivisions be connected to a community sanitary sewer system connected to the County system, or be connected to an adequate community sewerage disposal plant meeting DNREC and Kent County requirements. The draft Zoning Ordinance will require all dwellings and principle uses within the Town shall be required to be served by Kent County's central sewer system.

*Wastewater System Capacity* - The sewer district includes Felton, the surrounding County lands, including the Felton long range planning area and the Lake Forest school complex on Killens Pond Road. The district was designed to handle 1.1 million gpd, and currently uses about 10 percent of its capacity or 117,000 gpd. For wastewater design, an EDU is considered to be a peak flow of 250 gpd. The County's current wastewater collection and conveyance system can serve another 3,275 EDUs under peak use situations.

As new properties are developed, the Kent County Department of Public Works evaluates the wastewater demand that will be created and assures that system upgrades are incorporated into the development scheme. The costs of extending sanitary sewer to new developments, including collection systems and pump stations if necessary, are borne by the developer. In addition, the developer pays impact fees to the County for new service.

Development throughout the Felton planning area (see Map 2 Planning Area) is within the County's Growth overlay zone. The Kent County Wastewater system can support the possible annexations, and potential development within the five year planning area. The Town will continue to work closely with the County in this regard. The Town will continue to abide by its policy of consulting the County's Engineering Department prior to annexing property.

## 5.3 Stormwater System

The Town of Felton has made great strides in stormwater management during the last two decades by installing piping in, and covering a number of the smaller open ditches that were located within and between residential development in Town. The Town has also been fortunate in being able to obtain funding which was used to clear debris from other larger ditches that will remain open. Despite this advancement Felton is still plagued by drainage problems particularly along the northwest border of Town. Similar to other communities of Felton's size and age, the historic town core area currently has a limited stormwater management system. This has the potential to cause serious harm to the Town's environmental resources since rainwater and pollutants are free to enter streams and wetlands via street runoff and a series of ditches.

New development is regulated by the Kent Conservation District, to provide sediment and erosion control during construction and long-term stormwater management. Both stormwater flow quantity and water quality management are addressed through the Conservation District plan review and permitting process, and new developments utilize retention/detention stormwater ponds to comply with the regulations.

The Town was approached in the recent past by a consulting firm that was interested in obtaining a grant which would have provided partial funding for a quantitative study of the Murderkill River Drainage Basin within the greater Felton area. However, the Town was asked to be the administrator of the grant and the Town was not comfortable with the level of information given regarding their role as the administrator. The Town also was not comfortable with the level of detail that the study was ultimately going to provide. Felton ultimately opted not to participate for the reasons mentioned above and the project never came to fruition.

The Town discussed this matter with Kent Conservation District and both the Town and the District recognize the need for such a study. The District informed the Town that they will be willing to assist them in whatever capacity they are able should funding for such a study become available in the future. The Town, as mentioned above, is aware that there are existing areas within Town that are in need of modification to improve its stormwater management capabilities. The Town will continue to search funding opportunities and will remain willing to cooperate and seek advice from both the Conservation District and DNREC in the event that the opportunity to generate a comprehensive drainage study should present itself in the future.

## 5.4 Transportation

A well-functioning system of roads, streets, sidewalks, bike paths, and transit services is essential to serve present and future development of the Town and the region. Currently, the Delaware Department of Transportation (DelDOT) maintains State Route 12 (Main Street), Walnut, Lombard, and Church Streets. The Town of Felton is responsible for maintenance, sweeping, and snow removal on the remaining municipal streets. The Town's Public Works Department carries out snow removal and residents are responsible for snow removal on sidewalks. In the event of a heavy snowfall, the Town may hire an outside contractor.

Public safety and the welcoming feel of walkable neighborhoods have been continuing priorities for Felton. The Town has successfully completed its network of sidewalks within the older portions of the Town using a number of grants. The Town's subdivision ordinance requires new developments to provide sidewalks. As previously stated, the Town has one full-time and one part-time staff persons to take care of both the water system and local street maintenance. Generally, Town staff takes care of small repairs and issues, while larger issues are contracted out as needed.

As stated in Chapter 4: Section 4.1 - "Community History and Character", the Town of Felton currently has a welcoming, pedestrian orientation. It is very important that new

development maintain this feeling, and where safe and feasible, extend and connect to the Town's existing street and sidewalk system. Through sidewalk interconnections, walking can be maximized; therefore, minimizing vehicular traffic through Town. By providing street connections drivers can avoid traversing the main roadways to get to local destinations such as the post office. In this way the Town may further provide a multi-modal transportation system that develops in a logical manner, promotes the safest and simplest movement of goods and people, and supports non-vehicular as well as vehicular modes of transportation.

Expanding the pedestrian network from the traditional "city block" center of the Town to newer developments with required open space and winding roadways may be possible through a pedestrian network which leaves the roadside and utilizes easements and parks.

A DART First State shuttle is available through the Welfare to Work program between Harrington and Dover where it connects to the Dover transit system. This shuttle makes one morning and one evening stop at Felton near the intersection of State Route 12 and US Route 13. The shuttle is free and available to anyone, but there is a fee to ride the Dover system. Paratransit service is available by appointment to eligible seniors, people with physical challenges, and kidney dialysis patients. Additional transportation options are available to residents on public assistance through the Delaware Division of Social Services. These services are important to residents of the Town which were identified by 2000 US Census as: senior citizens (14.5%) disabled residents (19.9%), and those households that do not have a vehicle available (6.3%).

Most residents of Felton commute to Dover or the Dover Air Force Base for employment and to Dover, Harrington or Milford for medical care and shopping. Of Felton's employed population, 14.8% car pool, walk to work, or work at home and 6.3% of Felton households do not have a vehicle available to them. As Felton's population increases so will the transportation issues. As it has under the Corridor Capacity Preservation Program, Felton will look for ways to work with DelDOT to find transportation solutions that put less stress on the roadways and the environment than the current use of individual automobiles.

US Route 13 is of primary concern to the Town of Felton and DelDOT. A number of years ago the US Route 13 and State Route 12 intersection was considered to be dangerous, as evidenced by three fatal accidents that occurred over a two-year period. To make a safer intersection, police patrols were stepped up at this location and along the Route 13 area within the Town's limits. Although it has gained Felton a reputation as being a 'speed trap', accidents have been reduced and there have been no further fatalities at this location. DelDOT plans for future upgrades of this intersection should significantly reduce the potential for accidents at this location.

US Route 13 in Felton is currently part of the State's Corridor Capacity Preservation Program. This program designates areas along the US Route 13 corridor that are slated for preservation through access controls. DelDOT works with each municipality along the corridor to develop a plan that allows for the preservation of road capacity as well as

growth for the Town. DelDOT met with the Town of Felton in 2000-2001. Except for the access points agreed upon through this process, DelDOT prefers that any new development take its access from the local road network rather than directly from Route 13. In locations where access from another road is not possible, the State will seek to consolidate access points using shared driveways and cross-access agreements.

The Delmarva Secondary Line of the Norfolk Southern Railroad bisects the Town at an at-grade intersection. This rail line provides freight rail service to the entire Delmarva Peninsula. Approximately four to eight freight trains travel to or through Felton each day, primarily hauling grain, stone, coal and other agricultural products. Felton's largest industrial business, Pennsy Supply, has a siding where stone and gravel products are regularly unloaded and then shipped out by truck throughout Delaware.

In June 2002 the State House of Representatives passed a resolution requesting that a study be completed to determine the feasibility of providing passenger rail service from Wilmington to the Delaware beaches. If this service were to become a reality in the somewhat distant future, it is likely to pass through the Town of Felton, thereby increasing the number of trains traveling through the Town. Although it is unlikely that Felton would be chosen as a boarding location due to its small population, transportation by rail to Dover, Wilmington and the beaches would certainly be a great asset to the Town.

## 5.5 Summary of Issues and Recommendations

*Water System* - The Town has expanded and upgraded its water capacity in order to be able to grow. The Town has a water allocation permit with excess capacity to serve approximately 608 additional connections. The Town's water supply is in compliance with all current regulations, including the recently reduced MCL for arsenic as a result of the new water treatment system. The Town has increased its water impact fee to a more realistic level so that when new water production and storage infrastructure are required they will have the necessary funds available. The Town is in active negotiations for potential sites for the location of these facilities.

- The Town will continue to evaluate future growth to assure that water quality and fire flows are maintained as the system expands.

*Sewer System* - If the sewer district were to use up all of its capacity, the limiting factor to expansion would be Total Maximum Daily Load (TMDL) from DNREC. Any increase would likely be tied to a different processing/recycling method such as spray irrigation. Fortunately, this is not likely to occur during this planning period or for some time to come.

*Stormwater System* - Stormwater management will continue to be an item that the Town will need to give careful consideration to as it expands.

- The Town will make every effort to work closely with Kent Conservation District in attempting to evaluate current and future needs of the Murderkill River Watershed.
- The Town will continue to seek funding sources to upgrade and improve its stormwater drainage system.

*Transportation* – It is important for Felton to balance its desire to remain a community with a small town atmosphere, and the need for future growth which will keep the Town a vibrant part of the State of Delaware.

- The Town will work to establish, a system of pedestrian and/or bike paths that would interconnect residential areas with adjacent developments, schools, and business areas.
- The Town will support the Corridor Capacity Preservation Plan through its site plan review process.
- The Town will encourage the State to continue to expand transit options to connect Felton to points of employment and important services for its senior and disadvantaged residents.

## CHAPTER 6. LAND USE PLANNING

### 6.1 Strategies for State Policies and Spending

#### 6.1a State Investment Strategies Map

### 6.2 Land Use in Felton

#### 6.2a Goals and Objectives

#### 6.2b Planning and Regulation Process

### 6.3 Growth and Annexation

#### 6.3a The Role of the Town Council

#### 6.3b Annexation Strategy

#### 6.3c Sprawl Avoidance Strategies

### 6.4 Felton's Land Use Plan

#### 6.4a Study Area

#### 6.4b Annexation Area

#### 6.4c Administrative Responsibilities

### 6.5 Implementation Strategies

#### 6.5a Coordination

#### 6.5b Next Steps

## 6.1 Strategies for State Policies and Spending

With the formation of the Governor's Cabinet Committee on State Planning Issues, the State of Delaware has adopted an active role in land use planning issues in recent years. The current State Policies for coordinating spending are described in the document *Managing Growth in 21st Century Delaware: Strategies for State Policies and Spending*. The Cabinet Committee on State Planning Issues adopted this strategy document on December 23, 1999, after an extensive process of public consultation with citizens and municipal leaders. The strategies are predicated on the fact that, while local governments exercise control over land use decisions in their own jurisdictions, state investment and policy decisions can influence land use and the pattern and pace of growth. The strategies were created as a tool to help manage new growth in Delaware while revitalizing existing towns and cities and protecting the State's environment and unique quality of life.

In July 2004, the Governor's Cabinet Committee on State Planning Issues adopted updated Strategy Goals and map delineations in the document *Delaware Strategies for State Policies and Spending, 5 Year Update, July 2004*, after an extensive process of public consultation with citizens and municipal leaders. In the five-year update, the State created a system of Investment Level strategies to help governments and property owners better understand how growth should occur. The State refined the previous Investment Area maps to reflect the new investment levels. The Investment Level maps are not Land Use Maps per se. However, the strategies were created as a tool to help manage growth in Delaware while encouraging infill development and redevelopment within existing towns and cities, while protecting the State's environment and unique quality of life.

In March 2001, Governor Ruth Ann Minner announced the "Livable Delaware" agenda to address sprawl, congestion and other growth issues through legislation and policy changes that will direct growth to areas where the state, counties and local governments have planned for it to occur. It builds on the significant foundation laid by the 1999 legislation "Shaping Delaware's Future Strategies for State Policies and Spending".

The agenda includes an Executive Order directing State agencies to begin implementing the 1999 Strategies through implementation plans that outline program, policy, budgetary and legislative changes. In 2004, Governor Ruth Ann Minner enacted Executive Order #54 allowing the State to enforce the refined strategies. A new Advisory Council on Planning Coordination, that includes representatives of county and local governments and others with a stake in growth and land-use issues, will examine such concepts as developing a graduated impact fee structure, developing annexation standards, and approving and monitoring "Livability Indicators" to measure intergovernmental progress toward curbing sprawl. Other actions will look at encouraging the redevelopment of brownfields, establishing a transfer of development rights program, and facilitating dispute resolution among levels of government.

One of the core principles guiding Livable Delaware is to direct development to occur in and adjacent to existing towns and developed areas. The State generated maps depicting



areas adjacent to developed areas where new growth should be focused. Four areas, or Investment Levels, were created in order to prioritize spending in areas designated for future growth:

- Investment Level 1 – In areas where population is concentrated, commerce is bustling and a wide range of housing types already exist; State policies will encourage redevelopment and reinvestment;
- Investment Level 2 – Diverse areas where growth is slated, growth impacts on historic resources should be considered and/or rapidly growing areas within the County. Should be located next to Investment Level 1 areas and act as a transitional zone between populated areas in municipalities and less populated areas of the County;
- Investment Level 3 – These areas are generally slated for long-term growth by the County or a municipality. Plans for growth usually extend outside the five-year timeframe of the Comprehensive Plan;
- Investment Level 4 – These areas are slated for agricultural and open space preservation.

The State has also created three other categories which should be noted:

- Out-of-Play – Areas that cannot be developed or redeveloped;
- Area of Dispute – Areas that are currently under legal action or jurisdictional dispute;
- Area of Study – Areas where water and wastewater availability is currently being studied.

Most of the existing Town limits of Felton are designated Level 1 Investment Areas. The outer areas of the Town and much of the future growth areas are appropriately designated Level 2 Investment Areas to create a transition to the less populated areas surrounding the Town.

All of the northern 5-year planning area is designated as a Level 2 Investment Area. However, portions of the southern 5-year planning area are as a Level 3 Investment Area. The Town should work with the State to designate all of the areas within the Town's 5-year planning area as Level 2 Investment Areas as part of the 2009 five-year update to the State's Strategies for Policies and Spending.

There are several parcels (or portions of) west of Town designated as Level 4 Investment Areas that are included in the Town's long-term planning area. The Town will monitor the State's designation of these properties and work with the State prior to including them within a future proposed 5-year planning area. The Town will continue to cooperate with the State with common goal of accommodating future growth while preserving agricultural lands and environmental features.

## 6.1a Current State Investment Strategies in the Felton Area

The State Strategies Map (Map 6) designates the Town of Felton and much of its long-term planning area as locations where various levels of State spending can be available to support future growth. The State should be supportive of additional development within the Felton planning area.

The area to the southwest of the Beaverdam Branch of the Murderkill River has been successfully included in agricultural preservation and also includes significant sensitive floodplain and wetlands areas. These areas are now designated “Out of Play.” The Town of Felton has not changed its position on protection of groundwater recharge and quality, and sensible regulation of construction in flood-prone areas. The Town’s Planning Area has been amended to remove these “Out of Play” areas from future development consideration.

The Town currently provides water services to Lake Forest High School and water infrastructure is in place from the school, north along Route 13, to Town. As a result, the Town has elected to include the parcels south of Town which border Route 13 and Killens Pond Road, as shown on Map 7, Planning Areas and Annexation Plan, in the 5-year planning area.

The State Strategies Map (Map 6) designates these parcels as Investment Level 3 and a portion of the two (2) southerly parcels west of Route 13 are designated as Investment Level 4. The Town has included these parcels in its 5-year planning area because there is adjacent existing water infrastructure, because of their proximity to Route 13, and because the Town has been approached by potential developers inquiring about annexation. As mentioned in a previous section of the plan, the Town will coordinate any annexation request with DelDOT to ensure that any development in this area will correspond with the Corridor Capacity Preservation Program.

To summarize, the State Investment Strategies seeks to limit sprawl by supporting and encouraging the growth and redevelopment of communities like Felton. New growth outside of existing town centers should be located adjacent to existing infrastructure and services. Development activity within Felton’s amended 5-year planning area should be encouraged by the State.

## 6.2 Land Use in Felton

The current Zoning Ordinance does not provide much diversity with respect to land use. There are currently three (3) categories of land use types: residential, commercial, and industrial. Any residential land use other than single-family is currently considered only as a Conditional Use. This is one of the areas of the Zoning Ordinance which was targeted by the Planning Commission for change. The proposed draft Ordinance has four (4) residential categories and two (2) commercial categories. Although the current in-town parcels will generally remain in a zone as similar as possible to what the current use

designates, both with respect to use and lot size, the draft Ordinance will provide for a broader range of residential and commercial uses in future growth areas.

## 6.2a Goals and Objectives

Although the following goals and objectives were updated, goals and objectives developed during development of the 1999 Felton Comprehensive Plan update and are still relevant today:

### Goals

1. To create a desirable and healthful environment in which to live and work, for both children and adults.
2. To provide a coordinated land use pattern that will establish individual uses by neighborhood district or area. Such a pattern will prevent the indiscriminate mixture of land uses in the same area, and would protect existing property values.
3. To preserve the quiet atmosphere that presently characterizes the Town.
4. To preserve historical and agricultural lands, while directing new development to more appropriate areas.
5. To take measures to preserve and improve the present quality of housing in Felton and to prevent the emergence of blighted areas in the future.
6. To provide adequate community facilities, public utilities, and public safety services to meet present and future needs.
7. To encourage citizen participation on the preparation and adoption of the Felton Comprehensive Development plan.

### Primary Objectives

1. To improve and preserve the present water, sewer, and street system to serve the present and anticipated future population.
2. To continue to provide adequate fire and police protection to all areas of the Town.
3. To review the present codes, and ordinances and to amend each one as necessary. Also to adopt any new codes or ordinances that might be needed to implement the Comprehensive Development Plan.
4. To review and update the current Planning and Zoning Code and improve the administration of the Zoning Code.

## 6.2b Planning and Regulation Process

The Town reviews construction requests and issues a Compliance Letter attesting that all applicable portions of the Felton Planning and Zoning Code are met. The applicant then takes the Compliance Letter to the Kent County Department of Permitting and Inspections to receive the building permit. This Kent County department also does all building related inspections on the property.

The Town of Felton is governed by a five-person council, which is elected by the residents. The council members elect a mayor and officers from among themselves. The

Town Council serves a two-year term with alternating members being up for election each year.

The Planning & Zoning Commission is made up of from 5 to 7 residents who are appointed by the Town Council for three-year terms. This committee has first review of all development plan submissions, zoning compliance applications and conditional uses, and then makes their recommendations to the Town Council. The Town also contracts with the engineering firm of Davis, Bowen & Friedel for plan reviews and water, wastewater and drainage engineering services.

Variances from Felton's Zoning Ordinance are decided by the Felton Board of Adjustment, which consists of from 3 to 5 residents who are appointed by the Town Council to serve three-year terms. Decisions by the Board of Adjustment may be appealed to the Superior Court of Delaware.

The Felton Zoning Ordinance was last updated in August 1996. However, the Town has drafted a revised ordinance and it is currently in the review process.

## 6.3 Growth and Annexation

### 6.3a The Role of the Town Council

This Section is meant to serve as a set of guidelines for the Town when faced with development in surrounding areas. Specifically, the recommendations may prove useful in the following circumstances:

- When a development or rezoning is proposed in Kent County's jurisdiction, these recommendations may allow the Town to make informed comments through the County's land use review process.
- These recommendations may assist the Town in preparing plans for utility services in the adjacent areas, and they may also be useful when negotiating with developers in these areas.
- If annexation is proposed, these recommendations will be available to guide the Town in terms of the types of land uses and scale of development that would be appropriate in various areas.

### 6.3b Annexation Strategy

The Town encourages annexation of lands adjacent to the existing boundaries as it will allow the Town to have a role in the review and approval of development proposals and to formalize service arrangements within those properties. However, the Town takes into consideration the planned development for the requested annexation and examines

whether or not the development is in the best interest of the existing community. The Town also realizes that annexation should proceed in a deliberate and rational manner as there are many inherent problems in growing too quickly. Therefore the section below will serve as a base to use when deciding on annexation and or development plans.

- Each annexation request will be evaluated by the Town to determine the project's benefits and its impacts on town services. The evaluation of these annexation proposals may include:
  - The potential benefit to the Town in terms of tax revenue, jobs, services, or facilities to be provided.
  - The desirability of controlling the type and style of development prior to annexation in order to recognize issues that may need to be addressed in the annexation agreement.
  - The impact of the development on Town services and utilities. Impacts that will need to be reviewed should include sewer and water capacities, fire service, police service, administrative costs, as well as other criteria to be defined by the Town Council, identified in future updates to the Comprehensive Plan or recognized by special study.
  - The Investment Level designated by the State for the property requesting annexation..
- For the area North of the Town limits, each annexation request will be evaluated by the Town to determine the project's benefits and impacts on town services, including review of the following issues:
  - Development is imminent in the intervening properties as growth in the County continues and is strongly directed to occur within the County Growth zone.
  - The annexation area on the west side of US Route 13, rather than on the east of the highway, provides a cost effective expansion from Felton for sewer and water. Also, Tidewater Utility Inc. is unable to provide water service to these properties at this time. (The Memorandum of Understanding remains in effect between Felton and Tidewater regarding Felton's ability to adopt portions of the Tidewater service area through annexation.)
  - The Investment Level designated by the State for the property requesting annexation.
- For the area south of the existing Town limits, each annexation request will be evaluated by the Town to determine the project's benefits and impacts on Town services, including review of the following issues:
  - Annexation of the properties to the south of Town will serve to assist in smart growth implementation through an interconnected circulation plan, potential expansion of the CCPP and environmental protections through options such as cluster designs.
  - The development rights of the McGinnis property have been purchased by the State and it will remain as a agricultural land use in perpetuity. Felton will not

annex this property. See Map 7 and 8 for the location of the McGinnis property.

- Development is probable in the area as growth in western Kent County continues, both within and beyond the growth zone.
- The location of the annexation area on the west side of US Route 13 provides cost effective expansion from Felton for sewer and water.
- The Investment Level designated by the State for the property requesting annexation..

### 6.3c Sprawl Avoidance Strategies

The Town of Felton values the Livable Delaware goal that new municipal growth should be balanced with the protection of farmland and open space, and “suburban sprawl” should be avoided. The Town sees Suburban Sprawl as a number of perceived issues resulting from development, ranging from traffic congestion to the loss of open space. For the purposes of this plan, we use the term “sprawl” in reference to discontinuous development that occurs away from currently developed lands in and around the existing Town. Sprawl has numerous negative consequences and potential impacts on the services we offer. These impacts may include:

- Traffic can be increased due to longer travel distances. Pedestrian and bicycle travel between developed areas may not be convenient or safe, making it necessary to travel to and from the newly developed area by car.
- The cost of providing utility services can be increased because of the greater distance from the established urban area and the potential need for force mains, pumping stations and the like. Maintenance costs to the Town also increase due to the additional equipment and lines to service and maintain.
- Similarly, the cost of providing other town services can be increased due to additional travel time for police and other maintenance staff.
- Development occurring between town centers encroaches on productive farmland by segmenting fields and increases farm operating costs. This reduces the incentive to continue farming.

The following are some specific policies Felton Town Council will consider when they review development proposals or requests for water service in areas adjacent to the Town:

- Property owners who wish services should pay for the extension of those services. This will encourage property that is adjacent to the current Town boundaries to develop first.
- Water service should be extended when it supports development that is consistent with the Town’s Land Use Plan, and provides a net benefit to the Town. Water infrastructure should be extended only when financial commitment from the developer and/or the Town has been obtained.
- Requests for service outside of the Town should be fully evaluated to include the benefits to the Town and County, consistency with the County growth plan and long term operations and maintenance costs to the Town.

The Town reiterates its commitment to smart growth design and has requested financial assistance to update its Land Use Ordinances so that environmental protections are included, such as wellhead, source water and excellent recharge protection and designation areas as well as new elements that permit cluster-type designs that aid in those protections.

## 6.4 Felton's Land Use Plan

### 6.4a The Study Area

The Town of Felton Comprehensive Planning Committee defined a study area east of Route 13 that include: the Chimney Hill subdivision, northeast of Town; the Dill and Bostick Farms, just north of Route 12; and the area south of Route 12 and east of Route 13 to Killens Pond Road. Chimney Hill is served with both sewer and water, the Dill and Bostick Farms have been in Kent County's sewer service plans, and the area east of Route 13 and south of Route 12 is adjacent to existing Town water infrastructure.

A preliminary land use survey of the major properties in the study area was conducted. This land use survey indicated that the majority of the land within the study area is currently used for agricultural purposes with strip residential and commercial lots along the roadways. Generally, strip lots are sold off to generate the cash, either to proceed with a major subdivision of the main parcel acreage or to cover farming losses in bad years. Farm fields which are fringed by strip residential lots may or may not be an indicator of future residential development, and should be studied accordingly.

After a review of Kent County's Comprehensive Plan and consideration of the properties designated for potential wastewater service, the Planning Committee recommended that the study focus on properties within the immediate area of the Town or Town infrastructure. The five year planning area (see Map 2) was designated due to the proximity of existing infrastructure and efficiency of service provision. The Town of Felton provides water service to the Lake Forest School District's properties, Chesapeake Equipment, and the Emanuel Day Care facility. As our section on State Investment Strategies details, the area selected by the Town for future growth is mostly within Level 2 Investment Area, with the southerly most parcels being within Level 3 Investment Area.

Table 16 below summarizes the current land use acreage based on the information contained in Map 4 Current Land Use Within Town Limits. The majority of vacant land is located within the three recently annexed areas. One of these, located at the northwest corner of Town, is proposed for the development of the Berkshire subdivision. Another is located just north of Peach Basket Road and just east of Turkey Point Road and is proposed for the development of the Landings at Felton subdivision. In addition, approximately one fourth of the Hidden Pond subdivision (Phase IV) remains to be

developed and the Rosewood Farms subdivision has approximately 20 undeveloped lots remaining.

Table 16. Felton Current Land Use Acreage

| Land Use Category     | Acres | % of Total |
|-----------------------|-------|------------|
| Agricultural          | 83.2  | 18.3%      |
| Commercial            | 17.2  | 3.8%       |
| Industrial            | 13.8  | 3.0%       |
| Institutional         | 25.4  | 5.6%       |
| Open Space and Parks  | 28.6  | 6.3%       |
| Residential           | 123.8 | 27.2%      |
| Vacant                | 29.1  | 6.4%       |
| Transition            | 65.8  | 14.5%      |
| Railroad              | 3.7   | 0.8%       |
| Approx Road Acreage   | 63.8  | 14%        |
| Total Acreage in Town | 454.4 |            |

Source: Davis, Bowen & Friedel, Inc..

## 6.4b Annexation Area

In accordance with the Town's goals and objectives, and a review of service, financial, and infrastructure systems, the 2008 Comprehensive Plan includes an Annexation Plan for potential properties as shown on Map 7. Parcels within the 5-year planning area include properties whose owners have inquired about annexation with the Town, as well as other properties the Town plans on providing services to within the next five years and other properties that will not receive services for a period outside of the 2013 deadline. The properties are also within the Kent County comprehensive plan's growth area (see Map 2) and are not "out-of-play" under Delaware's State Strategies for Policies and Spending. Some developed properties that may have individual wells or septic systems are included in the event they need service due to well or system failure, such as the Felton Manor development. The Town could offer service to these lots because water and sewer are adjacent or very near by.

The future land use and growth areas recommended by the plan are represented on Map 8 (Future Land Use Within 5-Year Planning Area.) The Plan was developed assuming that the majority of newly annexed land be used for residential purposes. However, the Town is very interested in attracting a commercial component, such as a supermarket or restaurant.

The largest properties with annexation potential were reviewed by the Town of Felton and are listed below:



Table 17. Annexation Plan

| Parcel Identification            | Parcel Number          | Acres | Annexation Phasing        |
|----------------------------------|------------------------|-------|---------------------------|
| William M. and Elizabeth B. Dill | 8-00-13900-01-0200-000 | 78.8  | 5-Year, future annexation |
| Charles W. and Doris W. Bostick  | 8-00-13900-01-0224-000 | 64.8  | 5-Year, future annexation |
| Thelma Sipple                    | 8-00-12900-02-4300-000 | 67.7  | Do not annex at this time |
| Thelma Sipple                    | 8-00-12900-02-4400-001 | 96.6  | Do not annex at this time |

The 5-year planning area consists of approximately 1,716 acres of land, which may possibly be annexed by 2013. The anticipated phasing is shown on Map 7 and the acreage by phase is tabulated below:

Table 18. Annexation Phasing

| Phasing Description     | Acreage      |
|-------------------------|--------------|
| 5-Year Planning Area    |              |
| Year 2008-2011          | 677          |
| Year 2012-2013          | 688          |
| Developed, if requested | 351          |
| <b>Total</b>            | <b>1,716</b> |

The 5-year growth timeline includes properties that are adjacent to the existing Town boundaries, which have inquired about annexation into the Town. The Town believes the properties located within the 5-year planning area will request annexation prior to 2013. Properties located within the long term planning area, but outside the 5-year planning area, include properties that may potentially request annexation into the Town by the year 2020 and consist of approximately 2,908 acres. The Town has not received any formal requests or inquiries about annexation of any properties within the “long term” area, but believe the potential to develop those properties and to use Town services may occur by 2020. Lastly, the “developed, if requested” category include several parcels that are already developed that may request annexation in order to use Town services. The Town is willing to approve of annexations in the developed areas upon request of the property owner.

The Town does not expect all of the acreage indicated within the long-term planning area to come into the Town by 2020 and the Town cannot anticipate the actual timing of annexation. However, the Town of Felton has the infrastructure and service capacity to consider requests from within the long term planning area during the planning period. The Town should review population growth and annexation requests as part of the required five-year review of the Plan to ensure growth is occurring in a manner consistent with the annexation plan.

The property north of East Street between the older portion of Town and Hidden Pond (parcel identification number 8-00-12900-01-5100-000) known as the Carlisle property is recommended for residential development. This could be a mix of single-family homes on 7,500 square foot lots, town houses, or apartments. If this property is developed, it

should be interconnected with the existing road networks and efforts should be made to integrate open space into the existing open space on the adjacent school property. Felton does not recommend any expansion of agricultural uses on this property beyond its current agricultural use due to the proximity to the center of Felton and the Elementary School.

Properties along North Walnut and Church Street/Turkey Point Road should be developed as single-family homes in accordance with patterns of existing development.

There are two significant agricultural parcels within Town limits that have been in the Town since its original incorporation. The 30.5 acre agricultural property on the west side of Town is parcel number 8-07-13808-01-6200-000 (Paskey Farm) and is within Town limits. The 27.7 acre parcel on the east side of Town is 8-07-13808-02-7500-000 (Robert Smith property) and it is also within Town limits. These properties represent the majority of the agricultural land in Felton at 58.2 acres out of a total of 61 acres of agricultural land. When the Felton Planning & Zoning Ordinances are updated it is recommended that an Agricultural District be established with these properties being included.

Most of the developed land within Felton are considered to be "residential land uses" with a few Commercial or Institutional (churches, the post office, and elementary school) uses.

#### 6.4c Administrative Responsibilities

- The Town is aware of its responsibility to rezone where needed to match this Comprehensive Plan within 18 months of adoption.
- The Town will review and update the Felton Zoning Code, which was last updated in 1996. The current Zoning Code has duplicative and inconsistent regulations particularly concerning Conditional Use Zones. Some changes will be:
  - The conditional use process will be modified to provide a well-defined set of conditional uses. The Neighborhood Business conditional use will be deleted and replaced with a set of conditional uses consistent with home occupation commercial uses.
  - Zoning classifications will include an "In-Town" commercial and a "Highway" commercial with smaller lot size requirements for "In-Town" commercial.
  - The Town will create zones which will allow by-right multi-family development.
- The Town of Felton's updated Zoning Code will contain comprehensive Articles which will regulate many aspects of development that are not regulated or addressed in the current Zoning Code. These articles will include specific regulation pertaining

to utilities and environmental protection, among other aspects of the development process.

- The Town of Felton acknowledges that Title 22, Chapter 1. § 101 requires all new annexations to be consistent with this comprehensive plan. For annexation evaluations, we must provide a plan of services showing that capacity exists to provide all necessary services and utilities. Intergovernmental coordination will include the notification of all affected jurisdictions. Land Development applications made to the Town that exceed the thresholds of the Town's current Memorandum of Understanding (MOU) with the Office of State Planning Coordination are subject to a Preliminary Land Use Service (PLUS) review through the Office of State Planning Coordination.
- Upon adoption of this Comprehensive Plan, we will submit a progress report by December 31 of each year to the Office of State Planning Coordination with information regarding implementation activities, and new issues or conditions.

## 6.5 Implementation Strategies

### 6.5a Coordination

The Town of Felton recognizes that intergovernmental coordination is essential to accomplish the goals identified through this planning process. We understand that the coordination of Town, County and State plans and actions in the Felton area will have a direct impact on the well being and quality of life for all of our residents. Therefore we feel that close coordination between the Town and other government agencies is crucial in a number of areas including land use, transportation, environmental protection, and agricultural preservation.

#### **Coordination with Other Agencies**

- We value the opportunity to establish and maintain close coordination with the Office of State Planning Coordination, the Delaware Department of Transportation (DelDOT), and Kent County for land use planning and transportation issues. Other important State agencies whose actions may interact with the Town's activities are the State Historic Preservation Office (SHPO), the Department of Natural Resources and Environmental Control (DNREC) and the Delaware Economic Development Office (DEDO).
- Coordination with the State is also highly important with respect to various funding opportunities. For example, Federal TEA 21 grants administered through DelDOT may be available for improving local streets and State Revolving Loan Funds are available through the Department of Health and Social Services DHSS (Office of Drinking Water) and through DNREC for water pollution control projects.

- The Quality of Life Act requires counties to adopt procedures for coordination of land use planning in neighboring jurisdictions. Therefore, Kent County is an important partner for the Town, particularly with regard to annexation and development in peripheral areas and for economic development in general. The Town plans to work closely with the Kent County Planning Department, particularly on residential development on State Route 12 and northeast of Town.
- Development that is occurring outside the Town limits is highly relevant to us since land uses outside Felton have significant economic and social impacts on the Town. It is hoped that Felton can develop a coordinated strategy with the County concerning zoning, subdivision plans, and the type of development occurring in neighboring areas.
- The Town will make an effort to keep itself apprised of land use applications in nearby areas that will impact the Town. The Town will use the State's PLUS review process and the county planning process where applicable.
- Preserving farmland has numerous benefits for Felton. Productive agricultural lands support the economy of the Town and enhance the rural setting and are part of Felton's small-town atmosphere. Felton will support the Delaware Department of Agriculture's farmland preservation activities wherever possible.

### **Coordination with Planning Activities**

The Town looks forward to becoming involved in the planning activities of other agencies when they are addressing land use, transportation, infrastructure, or service delivery in and around the Felton area. Felton will provide representatives when possible to serve on committees drafting and reviewing plans. The Town will also review and comment on draft plans and otherwise become an active participant in planning activities that impact Felton's future.

The following are some current or intended planning activities that the Town would like to participate in:

- The Kent County Comprehensive Plan update implementation;
- The Murderkill River Tributary Action Team development of the pollution control strategies;
- The Kent County Long Range Transportation Plan (Dover Kent Metropolitan Planning Organization);
- The Delaware Transit Corporation Strategic Plan (DelDOT); and
- Livable Delaware, and the Governor's Advisory Panel on Planning Coordination

## 6.5b Next Steps

### **Plan Adoption**

The first step in implementing this comprehensive plan is for the Planning & Zoning Commission to formally approve the plan and recommend its approval by Town Council. Once the plan is approved by Town Council, it will then be submitted to the Office of State Planning Coordination for distribution and comment through the PLUS process. Simultaneously the Town will hold two public hearings to go over the comprehensive plan. The OSPC will consolidate its own comments with those from various State agencies and Kent County and transmit them by letter to the Town. The Planning & Zoning Commission will address the comments and make any changes necessary to the plan. The revised plan will be recommended to the Town Council for consideration. The Town Council will review this final version of the plan and make any changes they deem appropriate. The Town will also hold another public hearing so the public is aware of the changes that have been made to the plan. The comprehensive plan will then be resubmitted to the OSPC who will review the revisions made by the Town and once satisfied, the OSPC will forward the plan to the Governor for certification along with the OSPC recommendation. Once a letter of certification has been received from the OSPC, the Town Council will adopt the Comprehensive Plan by resolution.

### **Zoning Revisions**

The Planning & Zoning Committee will review the Planning & Zoning and Subdivision Ordinances making any necessary changes to bring them up-to-date and in line with the adopted Comprehensive Plan. These changes will be reviewed and adopted by the Town Council.

## Map Appendix

Map 1. Location Map

Map 2. Planning Area (Amended)

Map 3. Critical Facilities and Historic District

Map 4. Current Land Use Within Town Limits

Map 5. Future Land Use Within Town Limits

Map 6. State Strategies

Map 7. Planning Areas and Annexation Plan

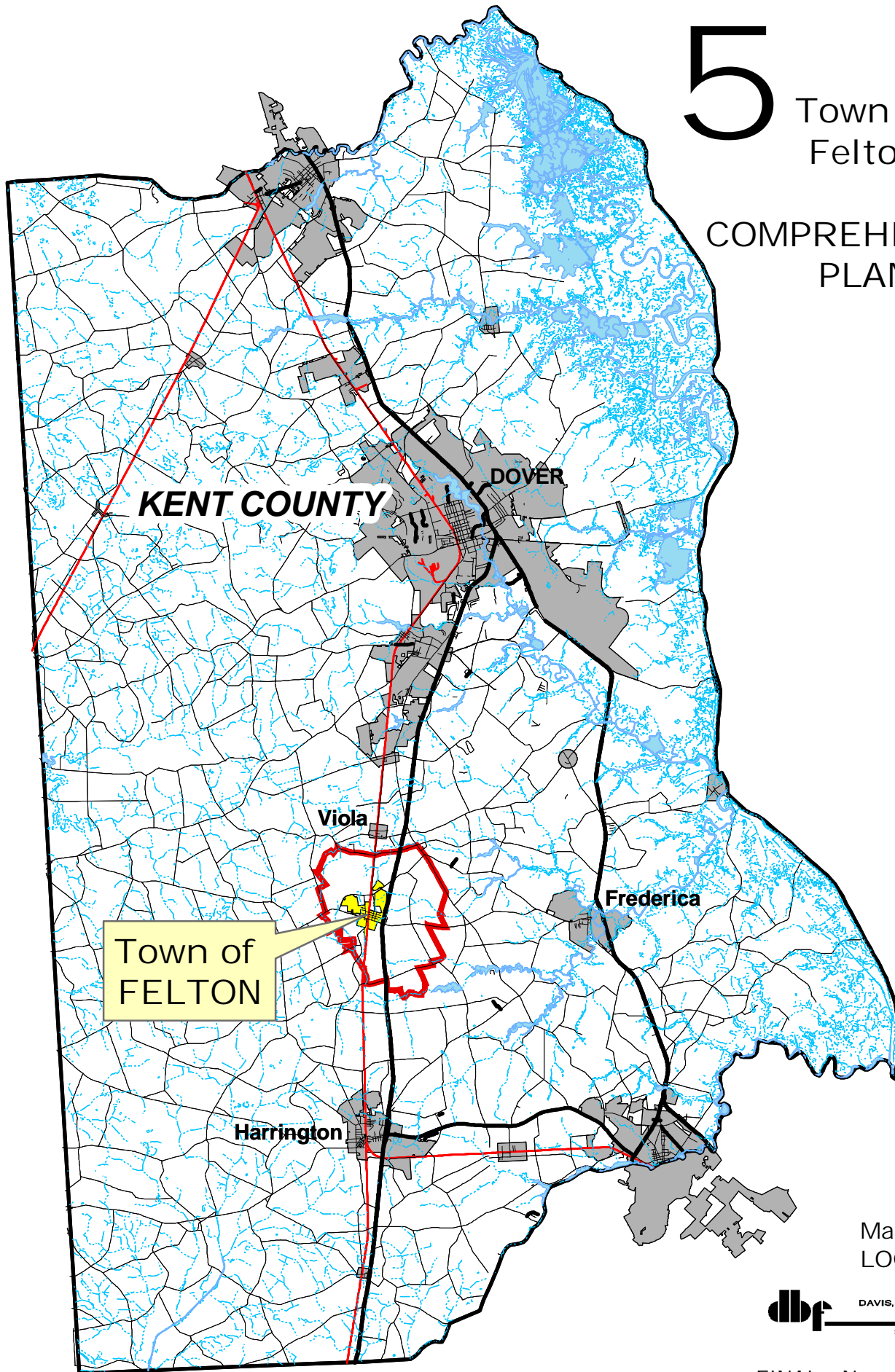
Map 8. Future Land Use in 5-Year Planning Area

Map 9. CPCN Territories

Map 10. Conservation Areas

# 5 Town of Felton

## COMPREHENSIVE PLAN



Map 1 -  
LOCATION MAP



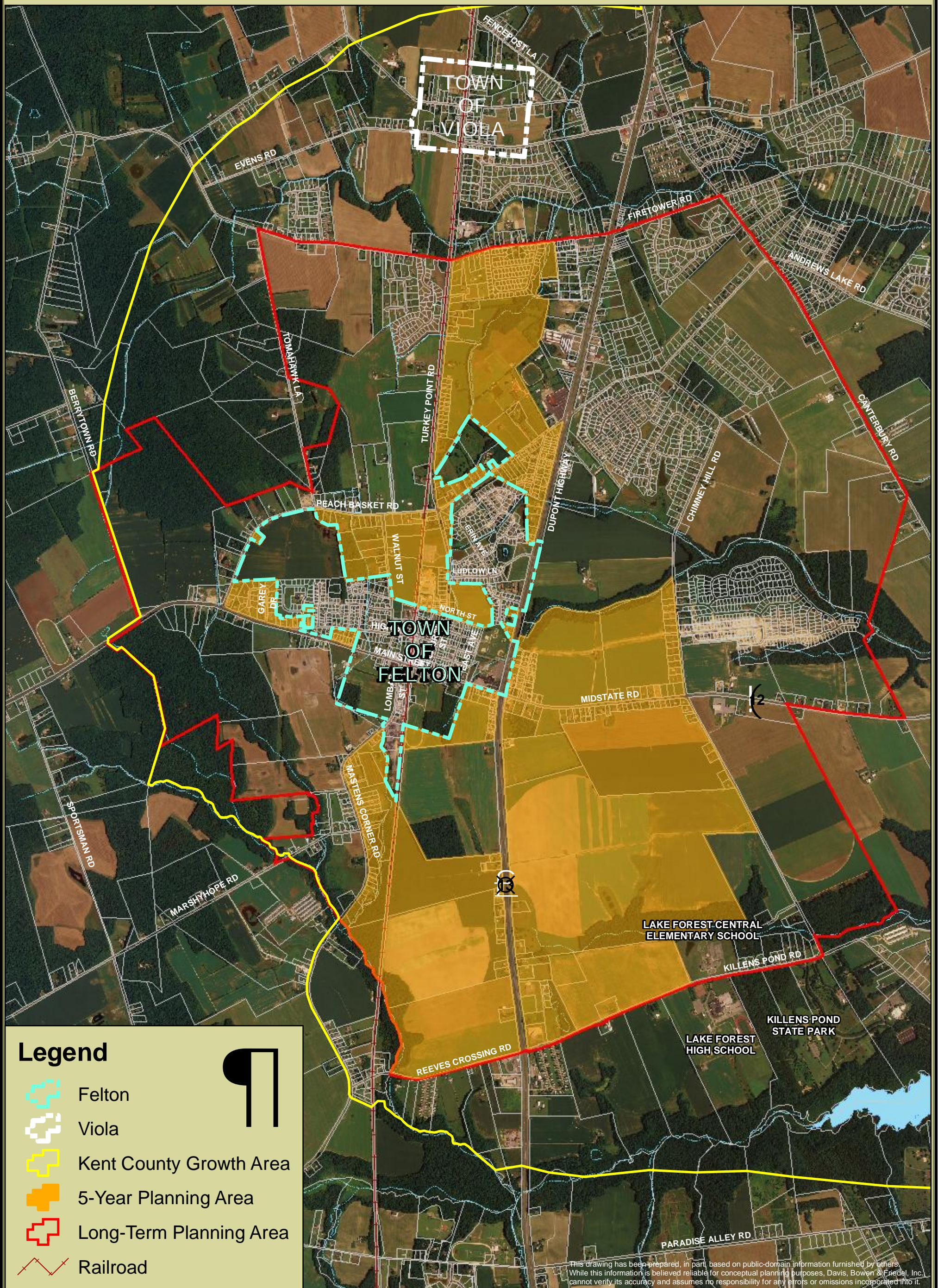
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 2 Planning Area



### Legend

- Felton
- Viola
- Kent County Growth Area
- 5-Year Planning Area
- Long-Term Planning Area
- Railroad



Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.  
Town Growth Area data provided by the Town of Felton  
Kent County Growth Area courtesy of Kent County.

0 2,000 4,000 6,000 Feet

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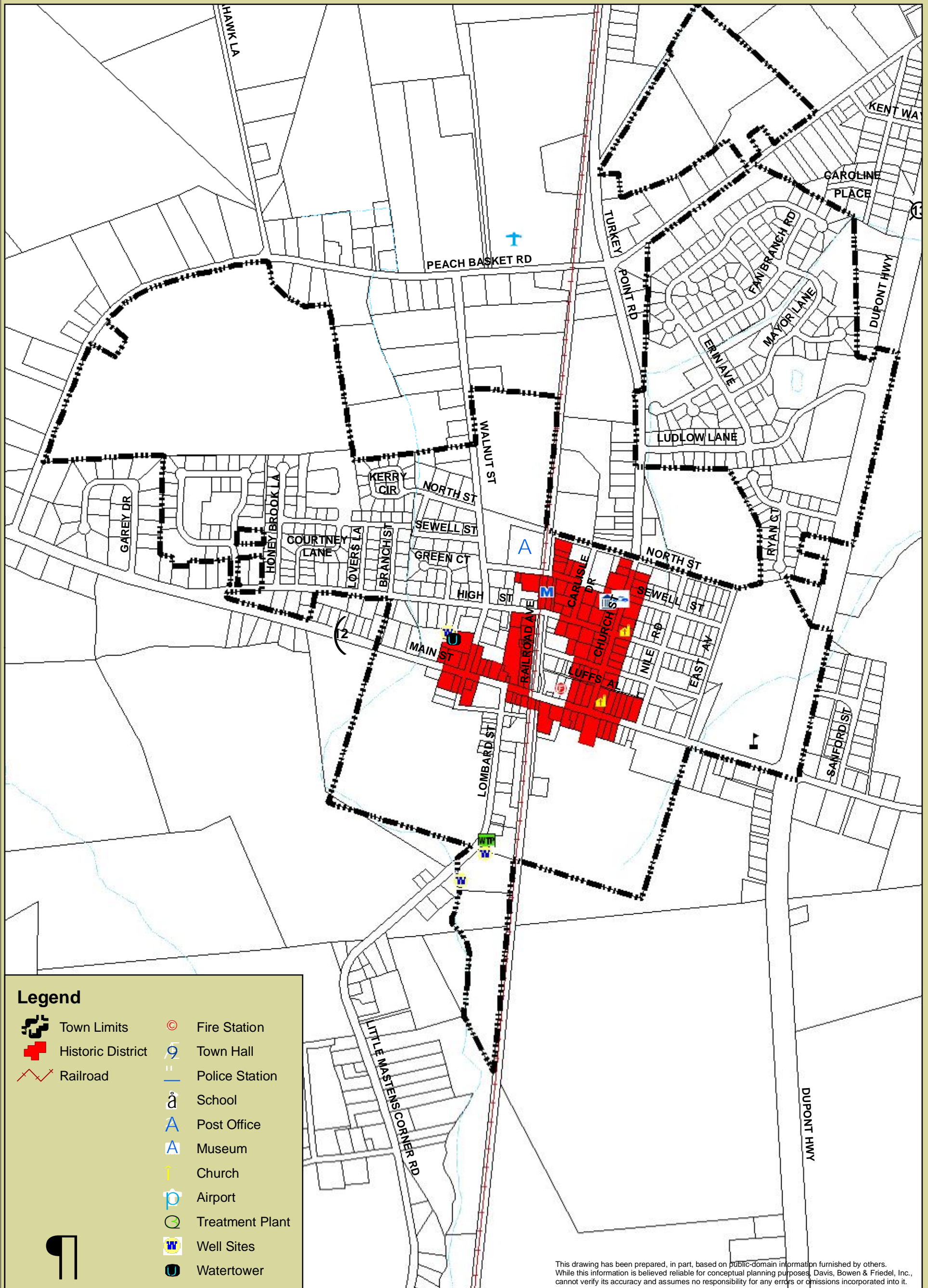
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 3 Critical Facilities and Historic District



Historic District based on data provided by the Town of Felton.  
 Framework data per the Delaware Geographic Data Committee.  
 Property Boundaries Approximate per Kent Co. Tax Parcel data.  
 Critical Facilities provided by the Town of Felton.

0 750 1,500 2,250 Feet

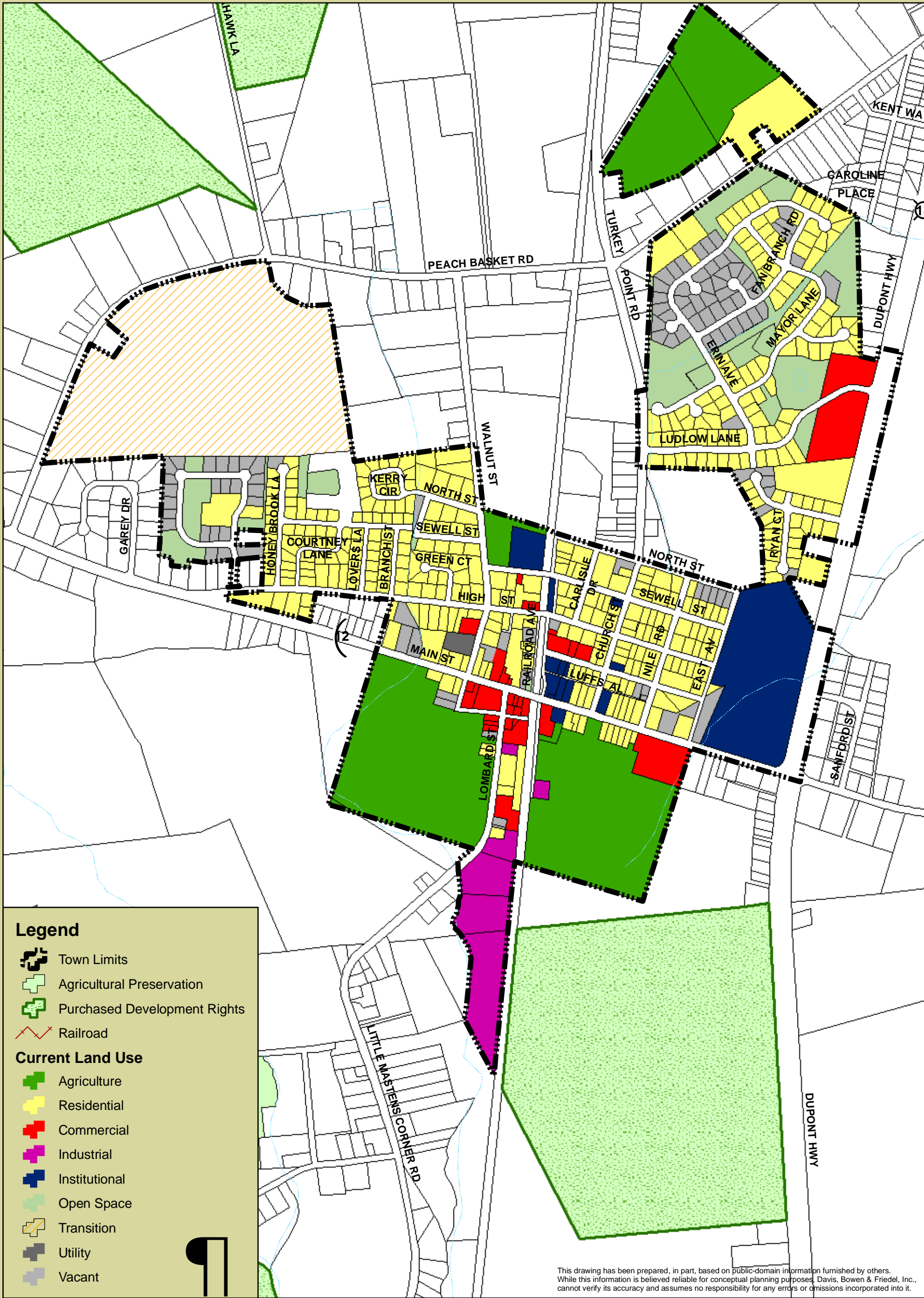
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 4 Current Land Use Within Town Limits



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Current Land Use based on data provided by the Town of Felton.  
Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.

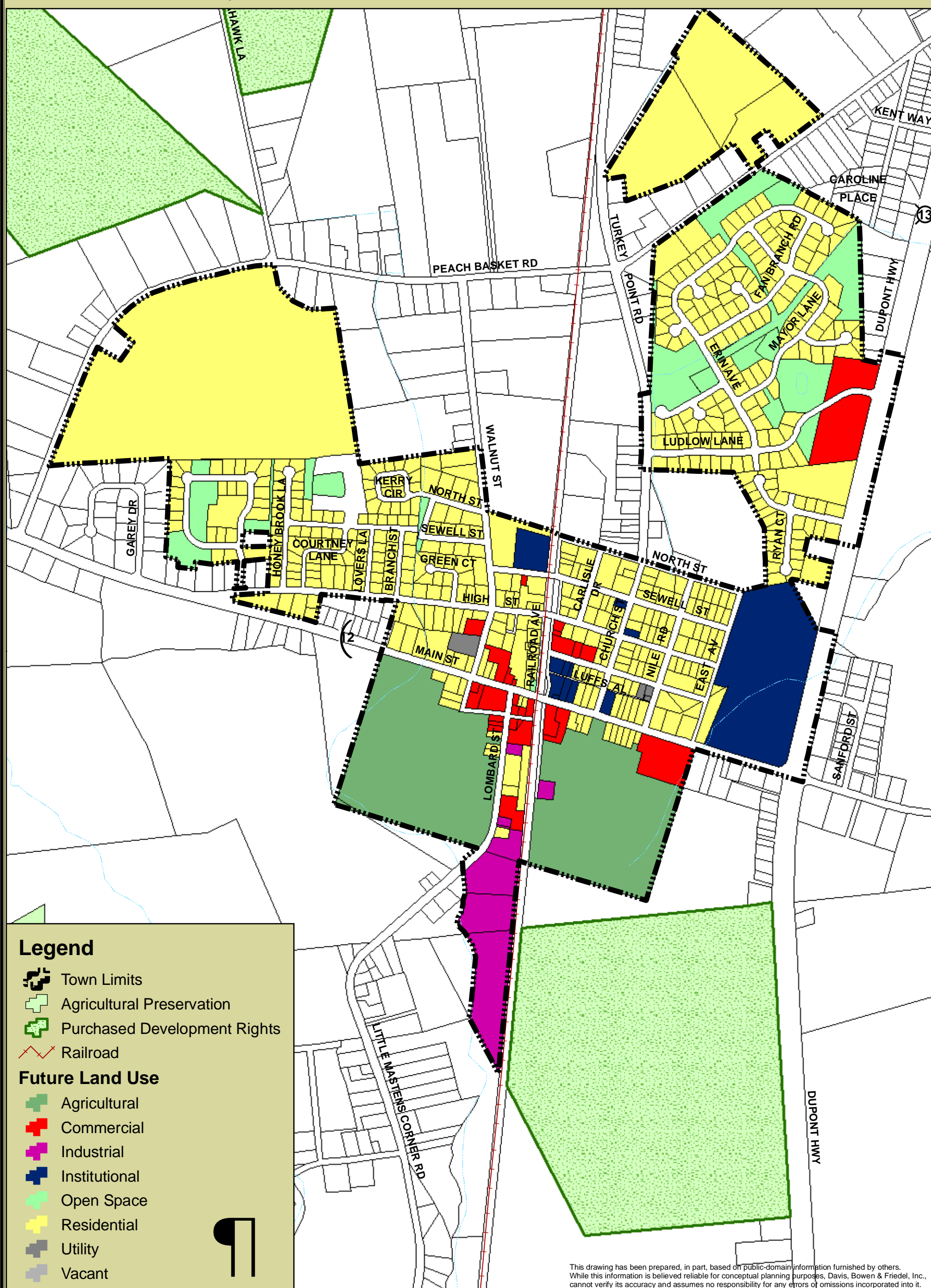
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 5 Future Land Use Within Town Limits



**Legend**

- Town Limits
- Agricultural Preservation
- Purchased Development Rights
- Railroad

**Future Land Use**

- Agricultural
- Commercial
- Industrial
- Institutional
- Open Space
- Residential
- Utility
- Vacant

Future Land Use based on data provided by the Town of Felton.  
Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.

0 750 1,500 2,250 Feet

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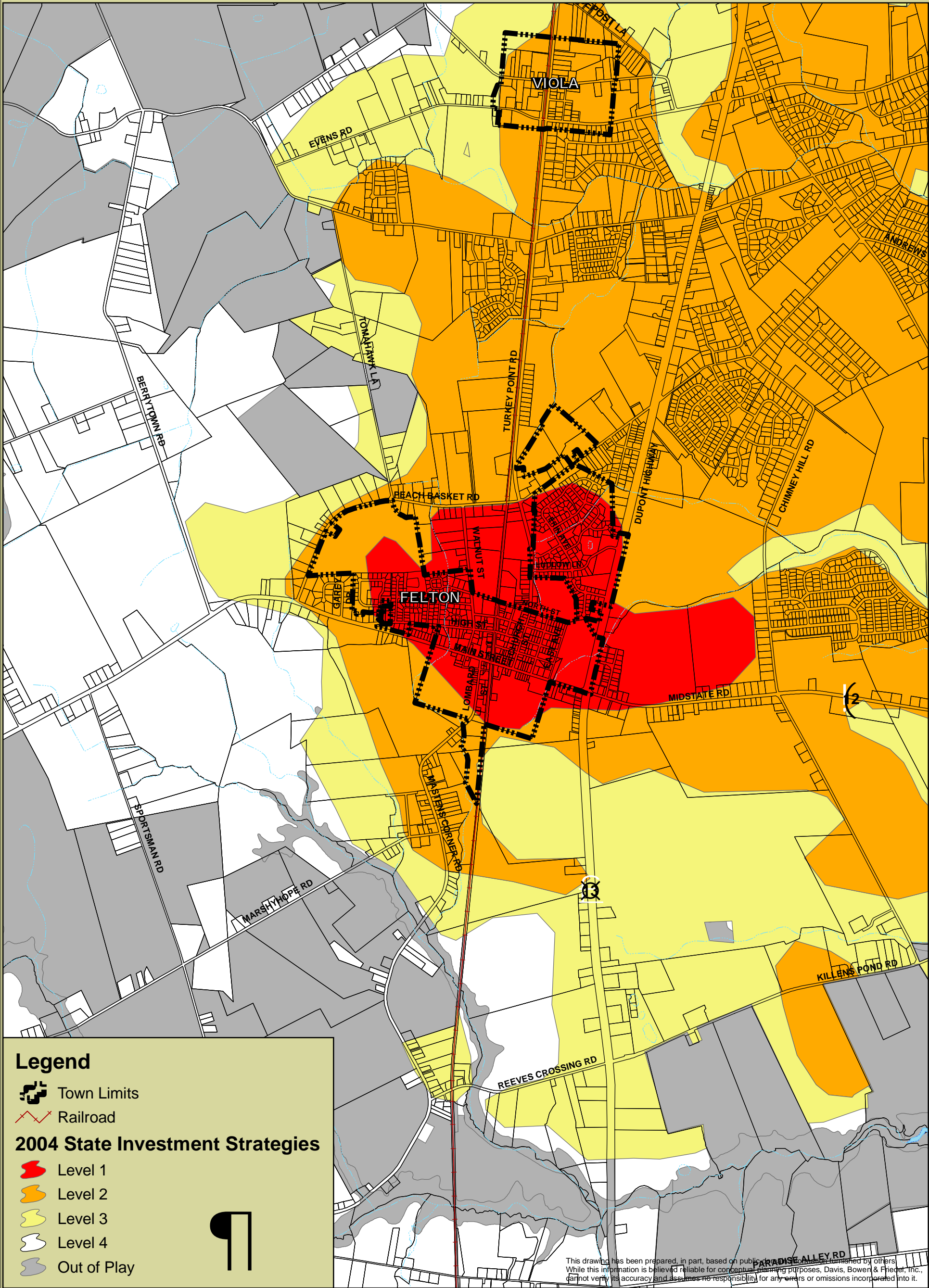
This drawing has been prepared, in part, based on public-domain information furnished by others. While this information is believed reliable for conceptual planning purposes, Davis, Bowen & Friedel, Inc., cannot verify its accuracy and assumes no responsibility for any errors or omissions incorporated into it.

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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 6 State Strategies



State Strategies per Office of State Planning  
Framework data per the Delaware Geographic  
Data Committee.  
Property Boundaries Approximate per Kent Co.  
Tax Parcel data.

0 2,000 4,000 6,000 Feet

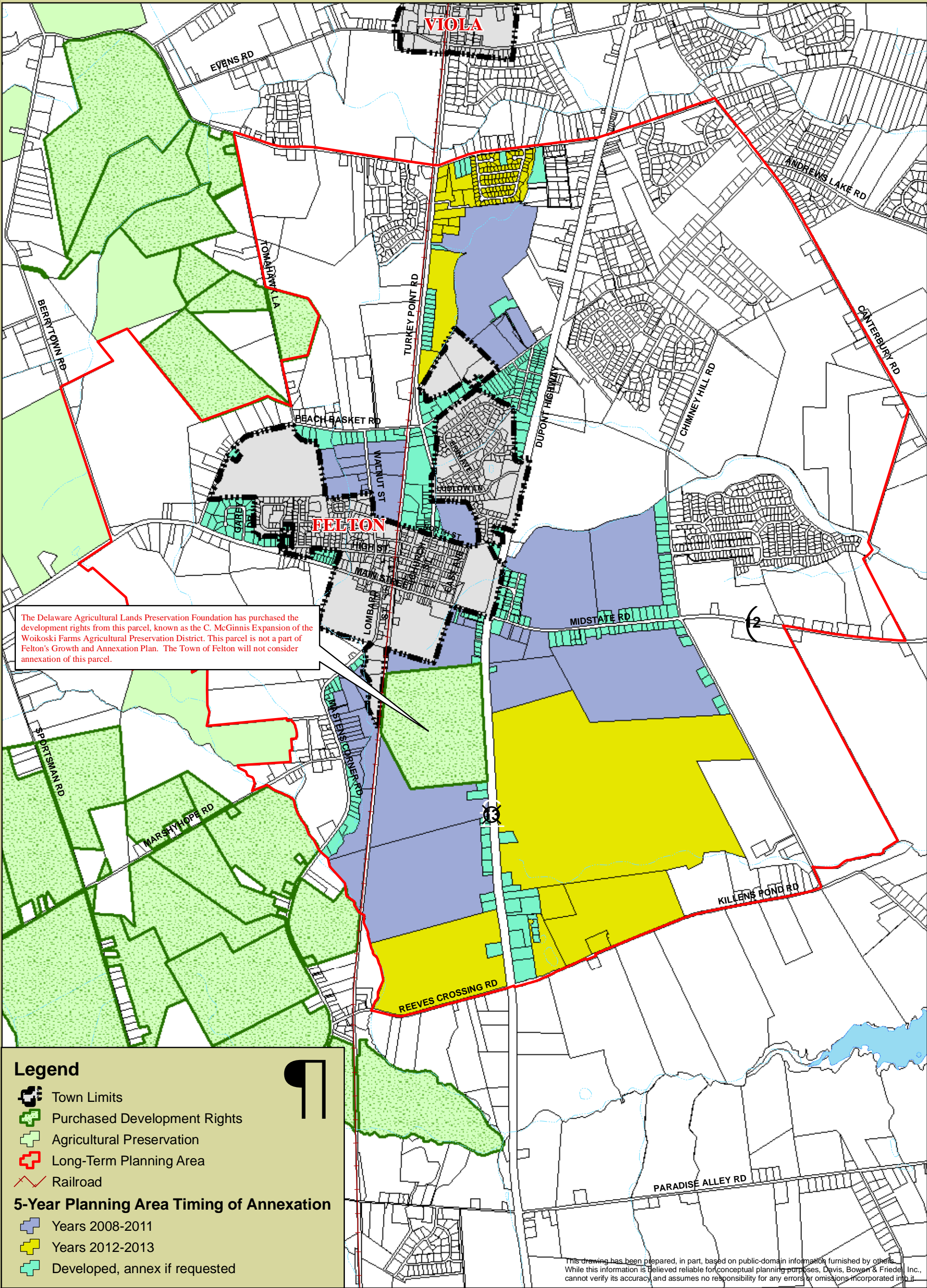
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 7 Planning Areas and Annexation Plan



Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.

0 2,000 4,000 6,000 Feet

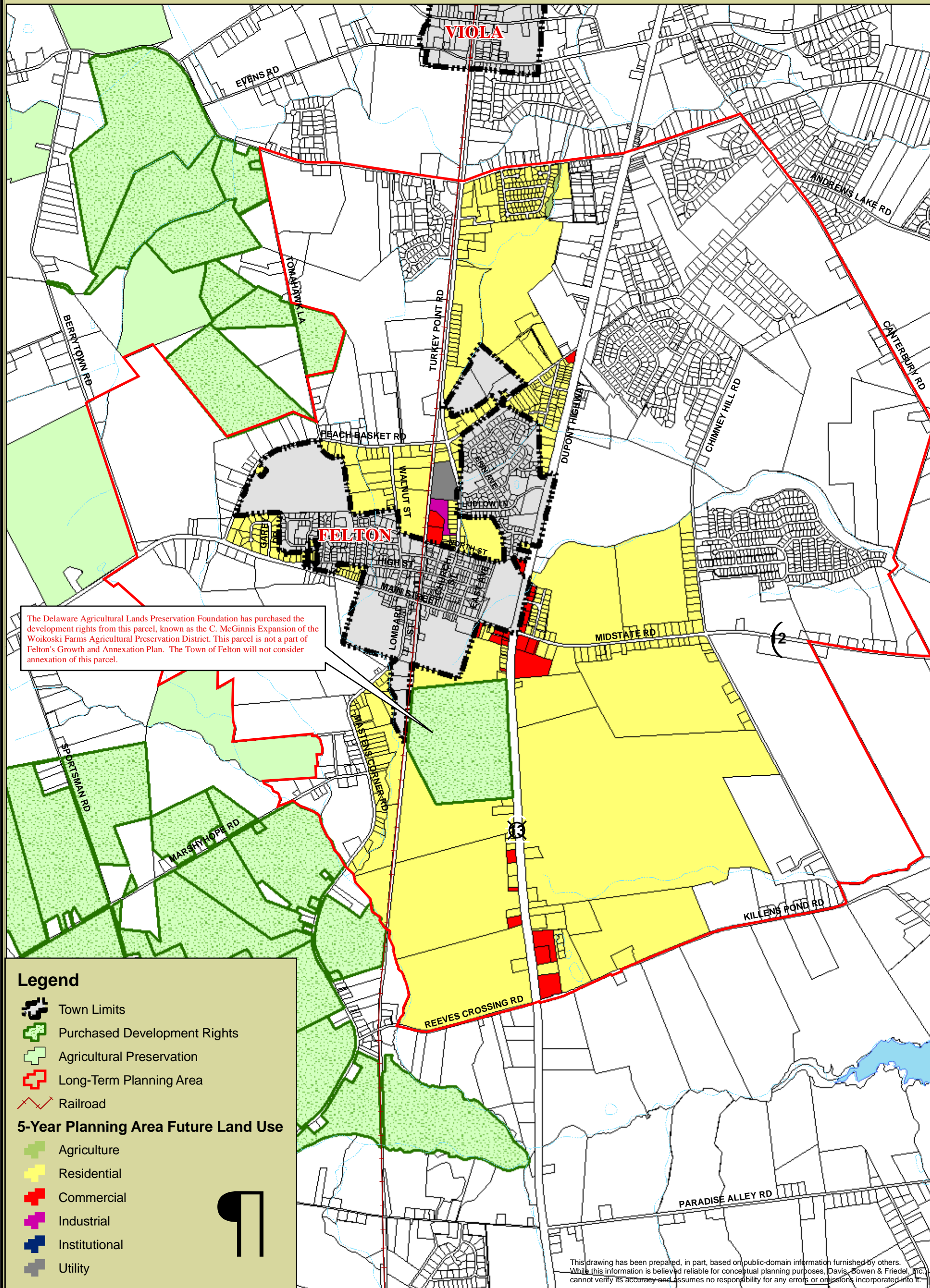
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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 8 Future Land Use Within 5-Year Planning Area



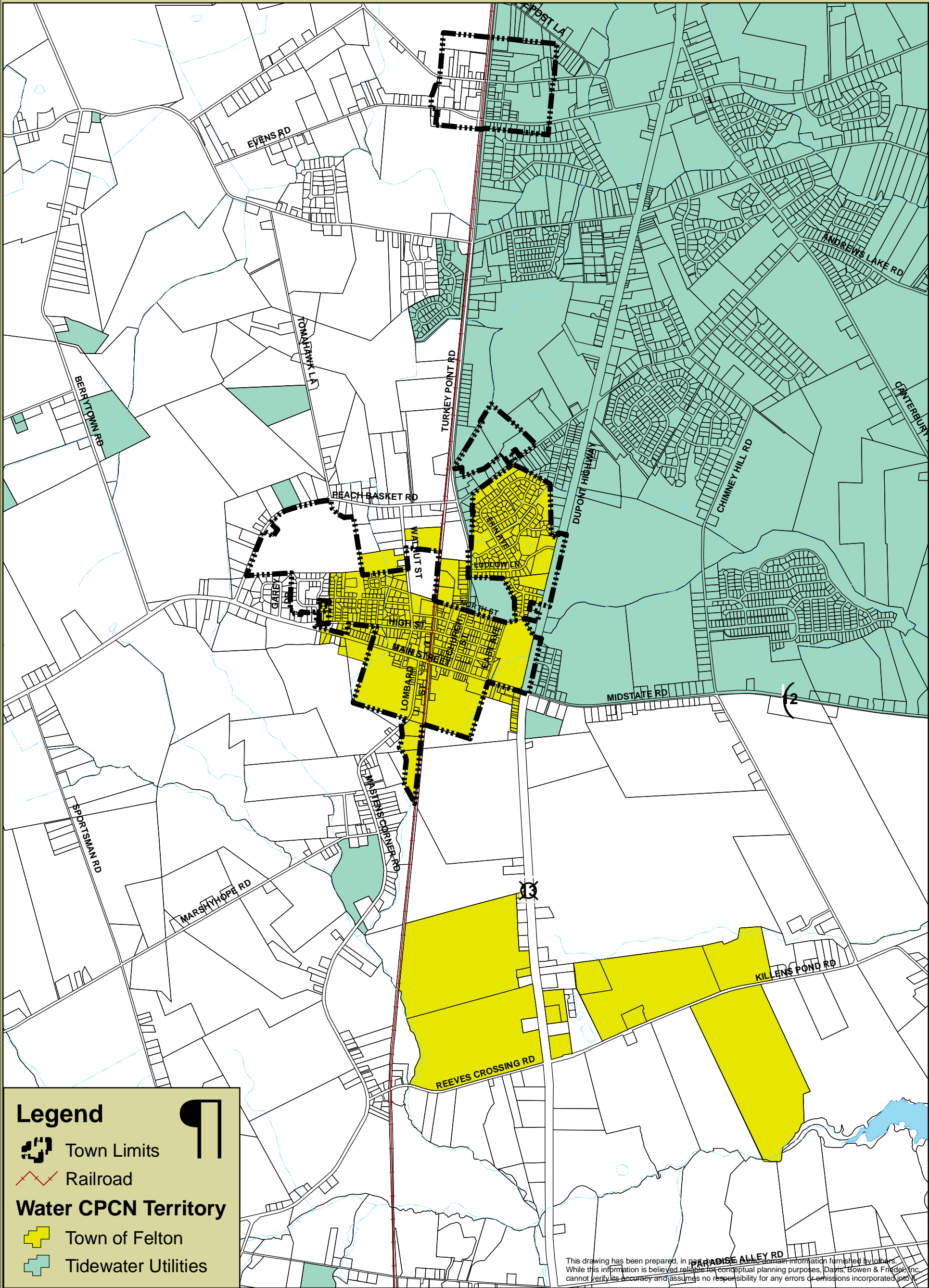
Growth Area data provided by the Town of Felton.  
Future Land Use based on data provided by the Town of Felton.  
Agricultural Districts per Department of Agriculture Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.

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# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 9 CPCN Territories

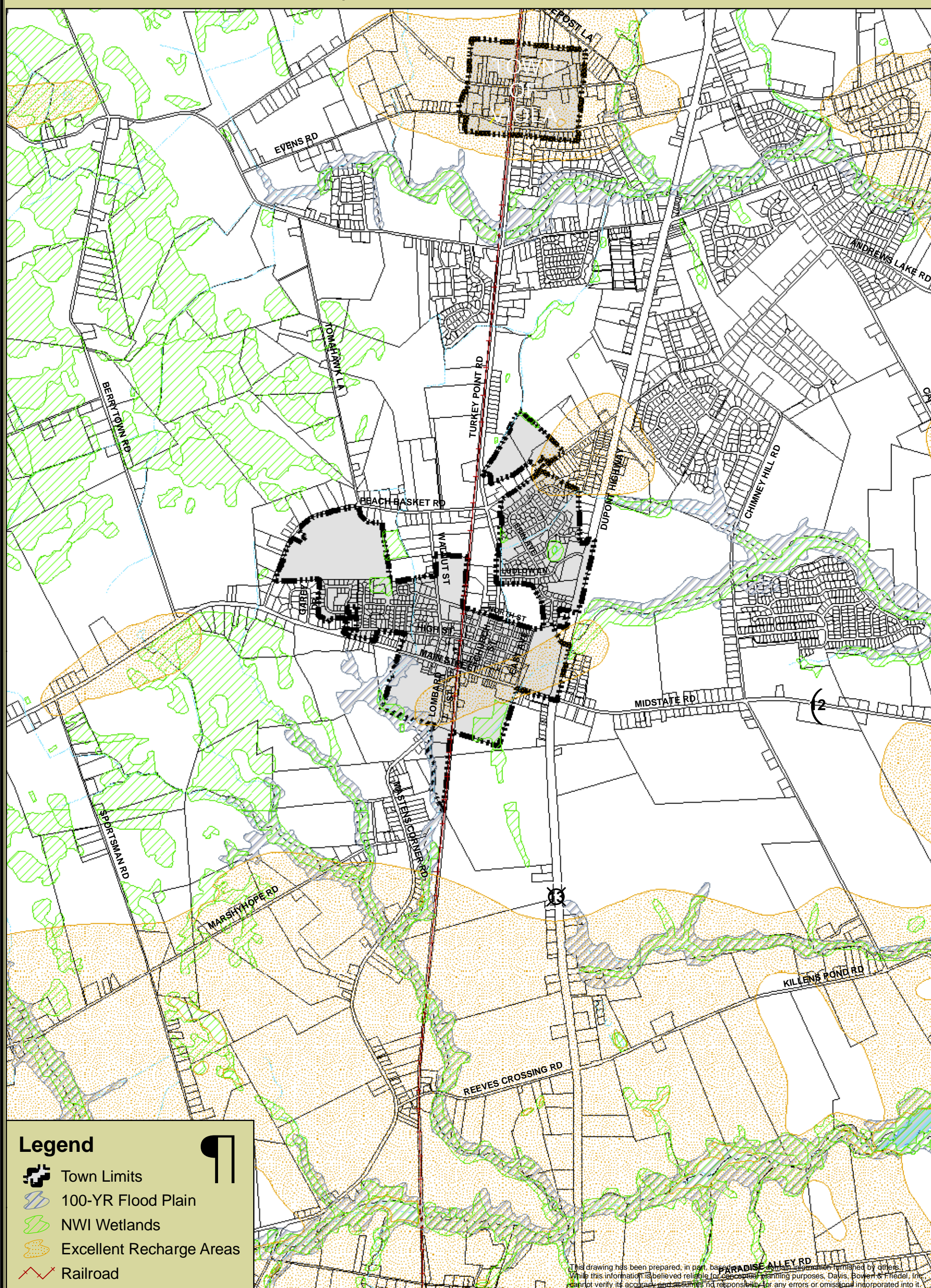


CPCN Territories per Delaware Public Service Commission  
Framework data per the Delaware Geographic  
Data Committee.  
Property Boundaries Approximate per Kent Co.  
Tax Parcel data.



# TOWN OF FELTON COMPREHENSIVE PLAN

## Map 10 Conservation Areas




**Legend**

 Town Limits

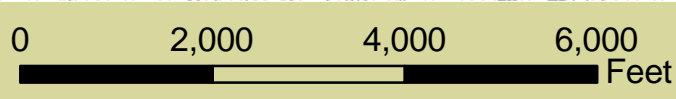
 100-Yr Flood Plain

 NWI Wetlands


 Excellent Recharge Areas

 Railroad

Excellent Recharge Areas Mapped by Delaware Geological Survey  
100-Yr Flood Plain per FEMA FIRM Maps 5/05/2003  
Wetlands mapped per National Wetlands Inventory  
Agricultural Districts per Department of Agriculture  
Framework data per the Delaware Geographic Data Committee.  
Property Boundaries Approximate per Kent Co. Tax Parcel data.



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